

# From Windhoek to Gaza: Germany's Continuum of Complicity and the Broken Promise of "Never Again"

Germany's relationship with genocide is not only historical; it is existential. The nation's modern identity has been built upon remembrance, repentance, and the promise of "*Nie wieder*" — "*Never again*." Yet, in the twenty-first century, as Israel wages a devastating war on Gaza that an expanding array of states, institutions, and jurists recognize as genocide, Germany finds itself once more entangled in atrocity — this time, as an enabler.

The irony is staggering: the state that made the prevention of genocide its moral foundation now arms and shields a campaign that bears that very accusation. Germany's tragedy is not only that it repeats history, but that it has **misinterpreted the meaning of "Never Again."** What began as a universal pledge to prevent mass extermination has hardened into a narrow commandment: *never again harm the Jews* — even if that means ignoring or facilitating harm to others.

## The Colonial Genesis of Genocidal Modernity

Germany's path into the modern age was paved with colonial violence. Between 1904 and 1908, during its rule in Southwest Africa (now Namibia), German forces under General Lothar von Trotha exterminated tens of thousands of **Herero and Nama** people after a rebellion against colonial exploitation. Survivors were driven into the desert to die or imprisoned in concentration camps such as **Shark Island**, where they were subjected to starvation, forced labor, and medical experimentation.

Historians regard this as the **first genocide of the twentieth century**, and its continuities with the Holocaust are unmistakable. Racial pseudo-science, bureaucratized killing, and concentration camps all found early expression in Namibia. Eugen Fischer, who performed "racial studies" on the skulls of murdered Herero and Nama, later became a leading eugenicist under the Nazis and taught the theories cited in *Mein Kampf*.

The Herero–Nama genocide was not an aberration but a blueprint — the colonial rehearsal of exterminatory modernity. The logic of racial hierarchy, once exported overseas, eventually returned home to Europe, industrialized and mechanized as the Holocaust.

## The Holocaust and the Legacy of Responsibility

After 1945, Germany undertook a profound reckoning. The Holocaust became the central trauma of modern civilization, and Germany's *Vergangenheitsbewältigung* — its struggle to come to terms with the past — defined its political and moral rebirth. The new Federal

Republic grounded itself in a constitution that enshrined human dignity and adopted an explicit duty to prevent the recurrence of genocidal violence.

Yet over time, the universality of that lesson narrowed. The Holocaust's singularity, instead of inspiring solidarity with all victims of persecution, hardened into a principle of exclusive obligation toward Jews and Israel. Successive German governments enshrined Israel's security as a *Staatsräson* — a reason of state — turning moral repentance into strategic allegiance.

This evolution transformed “Never Again” from a universal prohibition into a **national neurosis**, where historical guilt toward Jews overrides empathy toward others — especially Palestinians. The moral reflex became defensive rather than reflective, performative rather than principled.

## Gaza and the Reversal of “Never Again”

Israel's military campaign in Gaza, launched in October 2023, has killed tens of thousands of civilians and produced a humanitarian catastrophe. States such as South Africa, Brazil, Türkiye, and Bolivia, along with the UN's own Commission of Inquiry, have labeled Israel's actions as genocide under international law.

Germany, however, has remained one of Israel's staunchest defenders. It continues to approve weapons exports, provide diplomatic cover, and repress domestic dissent. In 2025, Chancellor Friedrich Merz announced a limited suspension of arms deliveries that might be used in Gaza, but only after sustained global criticism and domestic protest. Meanwhile, Germany has cracked down on pro-Palestinian demonstrations, censored artists and academics, and conflated advocacy for Palestinian rights with antisemitism.

In effect, Germany has reinterpreted its historic vow. “*Never Again*” no longer means “*Never again to any people*” — it means “*Never again confront the Jews.*” The result is moral inversion: the nation that once promised to prevent genocide now rationalizes complicity in one.

## The “Schoolyard Bully” Analogy: Moral Psychology of Avoidance

Germany's stance resembles the psychology of a **schoolyard bully who, after being humiliated in a fight, vows never to challenge that opponent again**—not out of moral awakening, but out of fear. Instead of renouncing violence altogether, the bully simply redirects aggression toward those perceived as weaker.

In this analogy, Israel is the untouchable combatant, forever beyond criticism; Palestinians and their supporters become the new acceptable targets. Germany, traumatized by its past, has replaced reflection with avoidance. Its historical guilt has metastasized into **moral cowardice**: it will not stand up to power when that power is draped in the moral aura of its own former victims.

The irony is bitter. In trying never again to be the perpetrator of *one* genocide, Germany risks becoming complicit in another.

## Germany's Lone Intervention: From Guilt to Guardianship

Before finding itself as a respondent in *Nicaragua v. Germany*, Berlin had already positioned itself on the opposite side of history in *South Africa v. Israel*. In January 2024, Germany became **the only state in the world** to formally intervene at the International Court of Justice *on behalf of Israel*, invoking its obligations under the Genocide Convention — not to prevent genocide, but to defend a state accused of committing it.

The symbolism was stark. While most of the Global South rallied behind South Africa's case, Germany stood isolated among the world's powers, invoking "Never Again" as justification for denial. Even the United States and United Kingdom — Israel's closest political allies — refrained from appearing before the Court.

In that moment, Germany transformed itself from a post-genocidal nation seeking redemption into the **custodian of impunity** for another's atrocities. The gesture was less about law than about identity: an act of moral projection in which Holocaust guilt became the shield of Israeli power.

## The Legal Reckoning: Nicaragua v. Germany

In March 2024, **Nicaragua filed a case at the International Court of Justice (ICJ)** accusing Germany of violating the Genocide Convention by supplying Israel with arms and political support amid the Gaza war. Although the ICJ declined to issue emergency measures in April 2024, it did not dismiss the case, which continues on the merits.

This proceeding is historically unprecedented: a Global South state invoking the Genocide Convention not against the direct perpetrator alone but against a powerful ally alleged to be complicit. It tests whether the duty to prevent genocide applies equally to those who **enable** it.

Germany's defense rests on legal formality — insisting that its arms exports are lawful and that it bears no intent to destroy a people. But the question the Court must confront is moral as much as legal: can a state invoke the memory of genocide while materially supporting one in progress?

## Continuities of Complicity

Across time, Germany's complicity has followed a pattern.

- In Namibia, it justified extermination as the preservation of order.
- In the Holocaust, it bureaucratized killing as the defense of racial purity.
- In Gaza, it legitimizes another's destruction as the defense of historical atonement.

In each case, moral rationalization masks structural violence. In each case, “security” and “duty” are invoked to excuse human devastation.

As postcolonial theorist Achille Mbembe notes, **Europe’s memory of its own violence often becomes the justification for new violence.** Germany’s moral vocabulary — genocide, remembrance, responsibility — is turned inward, serving national redemption rather than universal justice.

## Restoring the Universal “Never Again”

To reclaim its meaning, “Never Again” must be restored to universality. Holocaust survivors like **Primo Levi** and **Hannah Arendt** never intended remembrance to sanctify one group’s suffering over another’s. For them, Auschwitz was not a monument to Jewish victimhood alone but a warning about the fragility of human dignity itself.

As Levi wrote, *“It happened, therefore it can happen again.”* The moral imperative was to ensure that it does not happen — to anyone.

Germany’s path forward lies in understanding that repentance is not allegiance to a state, but fidelity to a principle. Supporting justice for Palestinians does not betray the memory of Jewish suffering; it honors it. The true lesson of “Never Again” is that genocide, once tolerated anywhere, threatens humanity everywhere.

## Conclusion

Germany’s confrontation with genocide is far from over. From the deserts of Namibia to the concentration camps of Europe, and now to the ruins of Gaza, the same moral question endures: will Germany learn from its history, or repeat it in new forms?

Its misinterpretation of “*Never Again*” — as a pledge of loyalty rather than a universal prohibition — has turned remembrance into complicity. To paraphrase the schoolyard analogy: the lesson is not “*Never again fight that opponent*” but “*Never again be a bully.*”

For seventy-five years, Germany has paid reparations to Israel for the atrocities of the Holocaust — an act of moral and material restitution that sought to make history bearable. Yet if the International Court of Justice ultimately finds that Germany’s support for Israel abetted genocide in Gaza, the irony will be devastating: the state that once paid reparations for genocide against Jews may find itself compelled to pay reparations for genocide against Palestinians.

In that event, Germany’s atonement would come full circle — proof that history, when not truly confronted, has a way of demanding payment again and again. Only by restoring “Never Again” to its universal meaning — never again for anyone — can Germany finally break that cycle and redeem its pledge to humanity.

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