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ARTICLE

Crime in Germany as Portrayed by the Alternative for Germany (AfD)

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Abstract
Criminal offenses ignite the political debate. Questions about the causes, development, and combating of crime touch on widespread fears; those who make them their subject can be sure of public attention. This Article looks at 242 press releases of the German right-wing populist party, the Alternative for Germany (*Alternative für Deutschland*; AfD) from 2018 dealing with criminal offenses. It examines which crime phenomena the reports describe, which perpetrator and victim images they project, and how crime and immigration are depicted as related threats.

Keywords: Crime; Alternative for Germany; politics; fear of crime; media; journalism

A. Introduction

Internal security is one of the most controversial political issues, and it has a strong impact on elections. In Hamburg's 1997 election campaign, the Social Democratic Party (SPD) borrowed a phrase from British Prime Minister Tony Blair and put up posters stating: "Law and Order is a Labour Issue." While at that time the emphasis on fighting crime kept the SPD in power, the following election brought about a change. Local court judge Ronald Schill—known as Richter Gnadenlos, the "Judge without mercy"—had founded a party that received almost a fifth of the votes; he had run on a promise to reduce crime in Hamburg by half within a hundred days.[1] In the 2017 federal election campaign, the then Federal Minister of the Interior Thomas de Maizière—of the conservative Christian Democrats—warned about exaggerated expectations: "In a state governed by the rule of law there are limits to the power of the state. That's a good thing. It shows, however, that those who stand up for security must live with insecurity."[2] Such humility leaves ample room for demands for a tough crackdown and the promise of absolute security. The Alternative for Germany, known by its German initials AfD—which, in 2017, emerged as the largest opposition party in the Bundestag—in its election campaigns emphasizes the issue of

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[1]Matthias Iken & Alexander Schuller, *Ronald Schill und der große Irrtum der Hamburger*, HAMBURGER ABENDBLATT (Aug. 20, 2014), http://bit.ly/2VfhkGK.

[2]Thomas de Maizière, *Innenminister de Maizière: Leitlinien für einen starken Staat in schwierigen Zeiten*, FRANKFURTER ALLGEMEINE ZEITUNG (Jan. 3, 2017), http://bit.ly/2DRnXV7.

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crime with a special focus on immigration,[3] with apparent success. This Article examines which thematic priorities this party sets, what conclusions it draws, and which justifications it provides for its policy suggestions. The AfD is the main focus of our research because it exerts considerable pressure on crime policy. This does not rule out the possibility that other parties may use similar patterns of interpretation.

I. Development of Crime

AfD representatives often warn of an increasing threat of crime. Uwe Junge, chairman of the AfD in Rhineland-Palatinate, stated: "Of course crime and the terrorist threat will increase."[4] According to the Police Crime Statistics for 2018, however, the expectation of an increase in crime has not been confirmed. On the contrary, the number of offenses—without violations of immigration laws—has decreased for the second consecutive year. Over the last ten years, the number of reported offenses in Germany has fallen by 9.1%.[5]

In the political debate, however, it is perhaps not the measurable, but the perceived crime threat that determines the success and failure of political parties. Moreover, the AfD has cast doubt as to whether the official data can be trusted: "Statistics on the asylum or migration background of the suspects or perpetrators are not kept at all, or they are kept secret or glossed over for political reasons. The problems caused by asylum immigration are partly concealed or trivialized by public authorities and the media."[6]

The extent to which measurable and perceived criminality diverge has crystallized in the presentation of the Police Crime Statistics—concerning crimes known to the police—for 2018. This was accompanied by the presentation of the representative Victimization Survey 2017, covering crimes not reported, fear of crime, and similar topics. According to the latter study, the proportion of the population who feel insecure in residential areas at night has risen from 17% in 2012 to 22% in 2017, despite a declining crime rate. Although East Germans have similar, or fewer, victimization experiences than West Germans, they feel less secure in their living environment and are more afraid of robberies and terrorist attacks. The comparison of the 2012 and 2017 surveys shows that the reporting behavior has remained unchanged.[7]

II. Perpetrator Profiles

Amid the intensified debate about the effects of refugee politics on crime in Germany, the focus is increasingly put on the nationality of the suspects. In the AfD statements, the narrative of the offending foreigner plays a central role. This bias is not directed equally against all non-Germans. The statements concentrate on immigrants who have recently come to Germany in large numbers, especially from Afghanistan, Syria, and Iraq. Particularly, immigrants from Muslim countries are supposedly difficult to integrate and thus particularly susceptible to crime. The policy statements of the AfD say: "Immigration-related crime is very difficult to combat due to its being embedded in family, clan and cultural structures and because of the language barrier."[8]

[3]This article refers to immigrants as defined in the Police Crime Statistics. This term covers asylum seekers, persons entitled to protection and asylum, quota refugees, as well as persons who are tolerated or illegally staying in Germany. Bundeskriminalamt [Federal Criminal Police Office], Polizeiliche Kriminalstatistik 2018 [Police Crime Statistics 2018], at 11 (2019) [hereinafter PKS 2018].

[4]*Dokumentation: Das wählen Sie, wenn Sie das Kreuz bei der AfD setzen*, Rhein-Zeitung (Mar. 3, 2015), http://bit.ly/2E0eD14.

[5]The number has fallen by even 10.7 % if violations of foreigners' law are not taken into account.

[6]Alternative für Deutschland, Programm für Deutschland: Das Grundsatzprogramm der Alternative für Deutschland 127 (2016), https://bit.ly/2lhrxlf.

[7]Christoph Birkel et al., Bundeskriminalamt [Federal Police Agency], Der Deutsche Viktimisierungssurvey 2017: Opfererfahrungen, kriminalitätsbezogene Einstellungen sowie die Wahrnehmung von Unsicherheit und Kriminalität in Deutschland 98 (2019), http://bit.ly/2H1C5vB.

[8]*See id.*

In fact, 34.5% of all suspects registered in 2018 were not German citizens. Ten years ago, this share was significantly lower at 20.9%.[9] One of several scientific explanations for a higher incidence of crime among non-Germans is the difference in the social profiles of the groups. Factors conducive to crime include young age, male gender, residence in large cities, and low levels of education.[10] For recent immigrants, the precarious living conditions in their accommodations, the lack of social integration through employment, and traumatizing experiences from war or flight also play a role.[11] Their residence status has also turned out to be significant for the probability of involvement in crime—those who consider it probable to live in Germany long term tend to commit fewer crimes than those who do not see any prospect of staying in Germany.[12]

A politically sensitive factor that may influence certain immigrant groups to commit crimes is cultural origin. Criminological studies show that male ideas of honor and dominance are particularly pronounced in some groups, especially young repatriates from the former Soviet Union[13] and teenagers from Muslim families.[14] Such ideas can legitimize the use of violence from the perpetrators' point of view.[15] Notably, different reporting practices have an effect. Dark field surveys show that German victims are twice as likely to report a foreign perpetrator than a German one.[16]

B. Investigation Facility

In order to explore how the AfD describes crime in Germany, and what its demands are in combating and preventing crime, content analysis was chosen as the empirical method because it manages to record content and formal characteristics following clear and comprehensible standards.

[9]The violations of foreigners' law were also taken into account here, as they are relevant to the subject matter of the survey. Without violations of foreigners' law, the proportion of non-German suspects was 30.5% in 2018 and 18.9% in 2008. PKS 2018, *supra* note 3, at 31.

[10]*See, e.g.*, Frank Neubacher, Kriminologie 158 (3d ed. 2017); Thomas Naplava, *Jugenddelinquenz im interethnischen Vergleich*, *in* Handbuch Jugendkriminalität: Interdisziplinäre Perspektiven 317, 325 (Bernd Dollinger et al. eds., 3d ed. 2018).

[11]*See* Brigitte Hargasser, Unbegleitete minderjährige Flüchtlinge: Sequentielle Traumatisierungsprozesse und die Aufgaben der Jugendhilfe (3d ed. 2016); Elisa Hoven, *Migration und Kriminalität*, *in* Migration: Gesellschaftliches Zusammenleben im Wandel 149 (Anne Friedrichs et al. eds., 2018).

[12]Christian Pfeiffer, et al., Zur Entwicklung der Gewalt in Deutschland. Schwerpunkte: Jugendliche und Flüchtlinge als Täter und Opfer 77 (2018).

[13]Kerstin Reich, Integrations- und Desintegrationsprozesse junger männlicher Aussiedler aus der GUS (2005); Steffen Zdun, *Street Culture and Norm Conflict among Young Migrants from the Former Soviet Union*, 45 Sociological Focus 2, 143 (2012).

[14]*See*, Dirk Baier et al., *Kinder und Jugendliche in Deutschland: Gewalterfahrungen, Integration, Medienkonsum*, KFN Forschungsbericht Nr. 109 (2010), https://kfn.de/wp-content/uploads/Forschungsberichte/FB_109.pdf; Ahmet Toprak, Unsere Ehre ist uns heilig: Muslimische Familien in Deutschland (2012).

[15]*See, e.g.*, Dirk Enzmann et al., *Männlichkeitsnormen und die Kultur der Ehre. Empirische Prüfung eines theoretischen Modells zur Erklärung erhöhter Delinquenzraten jugendlicher Migranten*, *in* Soziologie der Kriminalität, Kölner Zeitschrift für Soziologie und Sozialpsychologie 43, 264 (Dietrich Oberwittler & Susanne Karstedt eds., 2004); Christian Walburg, *Jugenddelinquenz: Eine Frage der Herkunft?*, 2015 Die Polizei 10, 287, 291 (2015); Hermann Strasser & Steffen Zdun, *Gewalt ist (k)eine Antwort! Zur Bedeutung der Ehre für abweichendes Verhalten russlanddeutscher Jugendlicher*, 16 Soziale Probleme 1, 5 (2005); Richard E. Nisbett & Dov Cohen, Culture of Honor: The Psychology of Violence in the South (1996); Dirk Baier & Christian Pfeiffer, *Gewalttätigkeit bei deutschen und nichtdeutschen Jugendlichen – Befunde der Schülerbefragung 2005 und Folgerungen für die Prävention*, KFN Forschungsbericht Nr. 100 (2007), https://kfn.de/wp-content/uploads/Forschungsberichte/FB_100.pdf.

[16]Christian Pfeiffer et al., Zur Entwicklung der Gewalt in Deutschland Schwerpunkte: Jugendliche und Flüchtlinge als Täter und Opfer 75 (2018), https://www.bmfsfj.de/blob/121226/0509c2c7fc392aa88766bdfaeaf9d39b/gutachten-zur-entwicklung-der-gewalt-in-deutschland-data.pdf; Hoven, *supra* note 12, at 149.

The subject of the investigation is statements—press, news releases, or similar statements—of the AfD on criminal offenses in Germany that were disseminated online between January 1, 2018, and October 30, 2018, by the party's federal association, its state associations, and its factions in the federal and state parliaments.

Of the texts published during the period under study, a maximum of twelve texts per association, or faction, were included in the sample. Because the AfD carries out public relations work of varying intensity in the different states, and because two parliamentary factions, Bavaria and Hesse, had not yet started their work by the cut-off date, the numbers of usable texts differ. There were less than ten texts in four states—Bavaria, Bremen, Hesse, and Lower Saxony—between eleven and nineteen texts in ten states—Baden-Wurttemberg, Berlin, Brandenburg, Hamburg, North Rhine-Westphalia, Rhineland-Palatinate, Saarland, Saxony-Anhalt, Schleswig-Holstein, and Thuringia—and twenty-four texts in the Federation, Mecklenburg-Western Pomerania, and Saxony. Altogether, 242 texts were examined.

Based on prior empirical knowledge, we developed a coding sheet with closed questions on 200 variables and open questions for quantitative and qualitative content analysis. Seven student assistants from the University of Leipzig and the Macromedia University of Applied Sciences recorded and coded the texts after a methodical briefing and a pre-test. The coding concordance was measured with 92%, according to Holsti. Thus, a value far above the minimum standard was achieved, which Rössler and Geise put at 80% for content categories of complex constructs.[17] The greatest possible analytical consistency was achieved by a final check of the codings using the full text search.

C. Investigative Results

I. Crime Phenomena

1. Offenses and Crime Scenes

The focus of the AfD press releases on crime in Germany during the period under study was on crimes violating individual rights. A total of 272 offenses were described in more detail. The most frequently reported offenses were those against life and limb. Of the cases, 72.0% were violent offenses, including: Racketeering and offenses against personal liberty, 33.1%; homicides, 18.7%; attacks on sexual self-determination, 14.3%; and terrorist acts, 5.9%. Property offenses such as theft and fraud add up to 14.0%, violations of immigration laws make up 5.9%, drug offenses 8.1% (see Figure 1).

The analysis of AfD press releases reveals a picture that significantly differs from that of Police Crime Statistics. AfD statements focus above all else on violent crimes and describe an extensive and ubiquitous threat to personal interests. This is exemplified by the depiction of terrorist threats: "Every day we have to reckon with an Islamist terrorist attack like at Breitscheidplatz in Berlin."[18]

In eighty press releases, concrete information was given on crime scenes, 58.8% of which were public spaces, 15.0% public buildings, and 26.2% private buildings and real estate. The impression of omnipresent crime was supported by texts that outline a general security problem in public space. For example: "Stations and trains seem to be popular places for criminal foreigners."[19]

[17]Patrick Rössler & Stephanie Geise, *Standardisierte Inhaltsanalyse: Grundprinzipien, Einsatz und Anwendung*, *in* HANDBUCH STANDARDISIERTE ERHEBUNGSVERFAHREN IN DER KOMMUNIKATIONSWISSENSCHAFT 269 (Wiebke Möhring & Daniela Schlütz eds., 2013).

[18]Press Release, AfD National Association (Oct. 2, 2018) (on file with author).

[19]Press Release, AfD state association of Thuringia, PM (June 23, 2018) (on file with author).

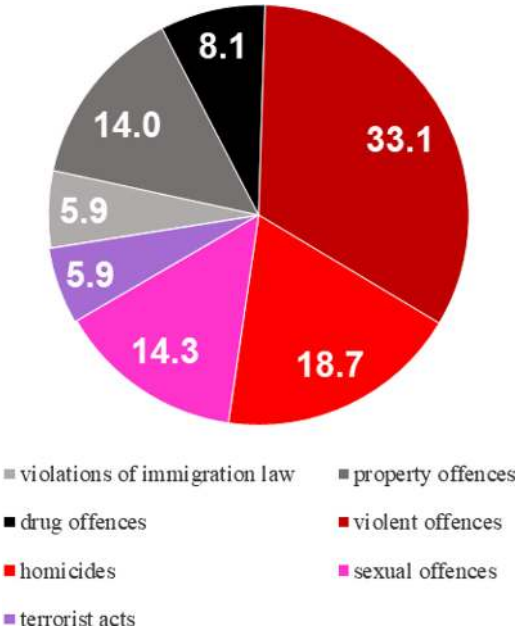

Figure 1. Distribution of offenses according to the *AfD* 2018.[20]

2. Extremist Offenses

In 35.1% of the AfD's press releases, extremist activities in Germany were recounted. Of the eighty-five references to extremism, the majority, 50.6%, covered left-wing extremist tendencies. The readiness of the left-wing scene to practice violence was emphasized, using examples such as the riots on the fringes of the Hamburg G-20 summit. The headline of the AfD faction in the state parliament of Mecklenburg-Vorpommern stated, "Politische Gewalt: Ein Problem von Links!" ("Political violence: A problem coming from the left!"). [21]

In 32.9% of cases, the AfD focused on religiously motivated extremism (see Figure 2). "Islamists are by far the greatest threat to the inner peace of our city," said the Berlin AfD Group, for example. "This is confirmed by spectacular arrests such as that of the Pankow bomb-maker a few days ago."[22] A connection was also drawn between terrorist violence and everyday crime: "The growth by more than 100% in ideologically and religiously motivated crimes is a direct consequence of unchecked immigration and the associated Islamization of the city. This trend is also indirectly confirmed by the massive increase of sexual offences in Berlin by 32%."[23]

Right-wing extremism ranks third at 16.5%. In some cases, the AfD explicitly distanced itself from right-wing extremist violent crimes: "The clear decline in xenophobic acts of violence can be seen as extremely gratifying, even if the downward trend must continue here."[24] Nevertheless, the topic of right-wing extremism was predominantly taken up in order to defend right-wing extremists against accusations and to draw the focus on others. From the point of view of the AfD, anti-Semitic crimes are often wrongly attributed to the extreme right-wing scene. It is also claimed that the left-wing extremist scene is much more dangerous. "For every right-wing extremist, there are

[20]N = 272 offenses from 242 AfD press releases (2018) on crime in Germany, figures in percent. Thomas Hestermann & Elisa Hoven, *own content analysis*.

[21]Press Release, AfD state association of Mecklenburg-West Pomerania (Aug. 15, 1998) (on file with author).

[22]Press Release, AfD faction in the state parliament of Berlin (Aug. 28, 2018) (on file with author).

[23]Press Release, AfD faction in the state parliament of Berlin (Mar. 2, 2018) (on file with author).

[24]Press Release, AfD faction in the state parliament of Saxony-Anhalt (Jul. 24, 2018) (on file with author).

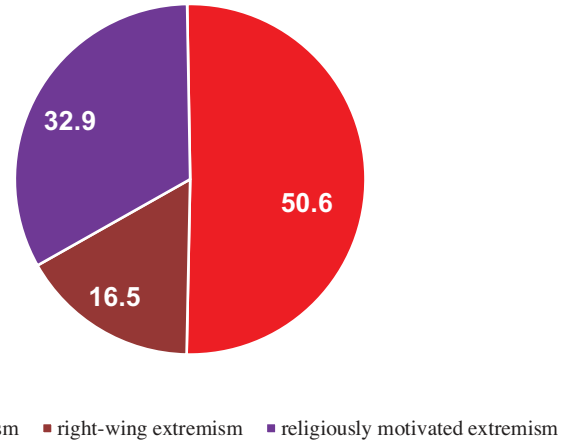

Figure 2. Extremism according to the AfD 2018.[25]

now almost two left-wing extremists. In addition, the potential for violence of left-wing enemies of the constitution is enormously high."[26]

3. Anti-Semitic Offenses

The attacks on people of the Jewish faith and their institutions in Germany were a marginal topic during the period under study and were picked up in only 2.9% of the AfD reports. There, the focus was on anti-Semitic resentment among Muslim immigrants: "Anti-Semitism has also very much become an imported problem today. Anti-Semitic and anti-Jewish views are particularly widespread among migrants from Arab countries."[27]

In Saxony-Anhalt, the AfD speculated on an anti-Semitic background regarding the murder of a 14-year-old girl due to the suspects' religious affiliation: "In particular, it has to be examined whether anti-Semitism might have played a role alongside the mentality of the suspected murderers, which apparently lacks any respect for the dignity of women."[28]

Conversely, the AfD criticized the general suspicion that right-wing extremists are the perpetrators of anti-Semitic crimes if there is no evidence to the contrary. With the goal of re-evaluating anti-Semitic crimes in Germany, the AfD factions in the state parliaments of Lower Saxony and Hamburg demanded the appointment of a commissioner for anti-Semitism.[29]

4. Knives as Weapons

With its press releases, the AfD paints a picture where knives are instruments of crime that came into Germany through immigration and express immigrants' pronounced propensity for violence (see Figure 3). A member of the state parliament of Saxony explains: "It used to be customary in Germany to discuss problems. Today, many immigrants quickly have a knife at their fingertips."[30] This stereotype is also reflected in terms such as "mass and knife immigration"[31] and "knife migration."[32]

[25]N = 85 references to extremism from 242 AfD press releases (2018) on crime in Germany, figures in percent. Hestermann & Hoven, *supra* note 20.

[26]Press Release, AfD faction in the state parliament of Berlin (Aug. 28, 2018) (on file with author).

[27]Press Release, AfD faction in the state parliament of Mecklenburg-West Pomerania (Sept. 11, 2018) (on file with author).

[28]Press Release, AfD state association of Saxony-Anhalt (Jun. 8, 2018) (on file with author).

[29]Press Releae, AfD faction in the state parliament of Lower Saxony (Aug. 29, 2018) (on file with author); Press Release, AfD faction in the state parliament Hamburg (Sept. 26, 2018) (on file with author).

[30]Press Release, AfD state association of Saxony (Oct. 15, 2018) (on file with author).

[31]Press Release, AfD Federal Association (Sept. 18, 2018) (on file with author).

[32]Press Release, AfD faction in the state parliament of Baden-Wurttemberg, (Sept. 9, 2018) (on file with author).

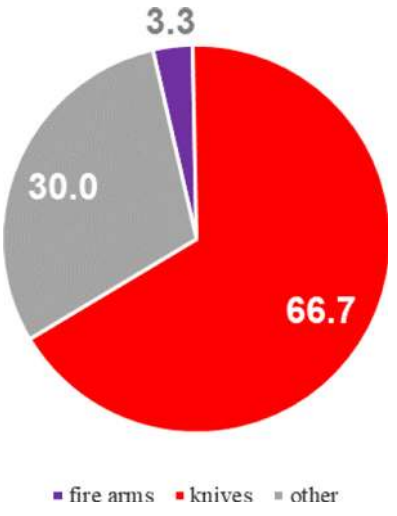

Figure 3. Weapons according to the AfD 2018.[33]

Insofar as the AfD reports on domestic crime specifically referred to instrumentalities, they are mainly knives, 66.7%, and othersharp-edged objects, as well as stones, 30%. Firearms are mentioned in only 3.3% of the reports.

A drastic increase in the number of crimes committed with knives is assumed: "Deutsche werden ermordet, Messerattacken steigen explosionsartig an und die Menschen im Land wissen nicht mehr, ob sie sich auf den Rechtsstaat noch verlassen können." ("Germans are murdered, knife attacks are increasing explosively, and the people in the country no longer know whether they can still rely on the rule of law.").[34]

The use of knives to commit criminal offenses was primarily connected to the nationalities that currently make up a large part of immigrants: "These stabbings are predominantly the consequence of the catastrophic refugee policy. Time and again, Syrians and Afghans are involved in these crimes."[35]

Nevertheless, the fact that suspected foreign perpetrators do not use knives was highlighted almost as a peculiarity. "At a terminal stop, two men (probably gold pieces again) attacked a tramway driver. Fortunately, the attackers chose 'only' pepper spray and a beer bottle as weapons - no knives."[36]

II. Doubts About Statistics

The AfD derived its warnings of a lack of public security above all else from the power of the spectacular individual case—which symbolizes a general crime phenomenon *pars pro toto*, or through the panorama of three examples, which represent a potentially infinite series.

> According to the Federal Police Agency, 112 Germans fell victim to murder and manslaughter involving at least one suspected immigrant in 2017. And this year, this bloody development is continuing unchecked, as the tragic fates of Susanna F. in Wiesbaden, Daniel H. in Chemnitz or the death of Markus B. in Köthen last weekend prove in a sad way.[37]

[33] N = 60 mentions of offenses from 242 AfD press releases (2018) on crime in Germany, figures in percent. Hestermann & Hoven, *supra* note 20.

[34] Press Release, AfD faction in the state parliament of Baden-Wurttemberg (Sept 3, 2018) (on file with author).

[35] Press Release, AfD faction in the state parliament of Saarland (Apr. 15, 2018) (on file with author).

[36] Press Release, AfD state association of Saxony (Oct. 16, 2018) (on file with author).

[37] Press Release, AfD Federal Association (Sept. 13, 2019) (on file with author).

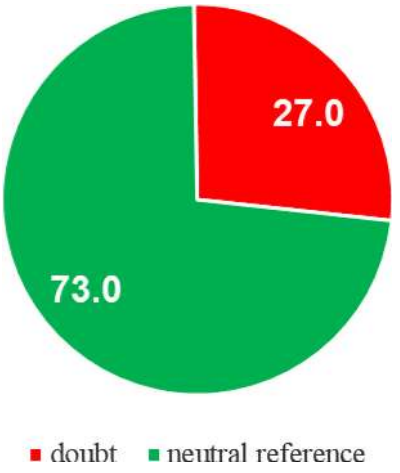

Figure 4. Relation to statistics according to AfD 2018.[38]

Statistics[39] were often referred to in this context, in a total of 26.0% of the AfD press releases in the period under review.[40]

Where references are made to statistics, figures were used in 73% of cases to support AfD warnings of escalating immigrant violence. In 27% of the cases, however, the significance of statistics is criticized (see Figure 4).

It was argued, for example, that police crime statistics do not adequately reflect actual events. For example, the AfD representative Stephan Brandner—at that time Chairman of the Law Committee of the German Bundestag—criticized "the fact that even police crime statistics seem to be more of a Merkelian wishful image of the security situation than a reflection of the actual situation in Germany." ("sogar die Polizeiliche Kriminalstatistik [scheine] eher ein merkelsches Wunschbild der Sicherheitslage zu sein . . . als sie die tatsächliche Lage in Deutschland widerspiegele.").[41]

The AfD claimed that certain aspects of criminal activity relevant to public opinion are not covered by official statistics, and, if so, are recorded incorrectly. The lack of coverage was said to be deliberate in order to relativize the existing problems, especially with regard to crimes committed by foreigners: "There is a widespread feeling that statistics should be kept clean in order to play down the issue of the immigration of knifers."[42]

Another alleged reason for doubting crime statistics was that many people are reluctant to report crimes because they have little hope that criminal proceedings will be instituted, or they are worried about further attacks. "If offences such as pickpocketing, shoplifting or drug trafficking as well as sexual offences are no longer reported out of shame, or are reported only to a very small extent, and are therefore not registered, these offences are not included in the statistics."[43]

If the statistics deviate too much from the population's perception of crime, the AfD does not believe that the fears are unfounded but that the problem lies in the figures. "The Federal Government is not only making fools of themselves, it is also risking gambling away the last spark

[38]N = 63 references to statistical data from 242 AfD press releases (2018) on crime in Germany, figures in percent. Hestermann & Hoven, *supra* note 20.

[39]In 21.9% of cases, these are references to criminal statistics. The rest are made up of references to statistics on immigration and deportations, among others.

[40]*Id.*

[41]Press Release, AfD state association of Thuringia (Sept. 23, 2018) (on file with author).

[42]*Id.*

[43]Press Release, AfD faction in the state parliament of Berlin (Jun. 20, 2018) (on file with author).

of Germans' confidence!"[44] Statistical statements on the decline in crime are put into question based on individual examples:

> Interior Minister Georg Maier recently claimed that Thuringia is a safe province. That's not true. The Gotha incident is one of a long list of similar incidents. Only recently, there have been fights involving asylum seekers in Meiningen, Apolda and especially in the Suhl First Reception Facility. These cases show how bad security is in the free state.[45]

In the struggle for sovereignty over interpretation, the AfD criticizes the instrumentalization of crime statistics by other political parties while claiming an objective perspective for itself:

> Especially in the current situation, police crime statistics, especially in the political sphere, repeatedly serve as a political issue or as a line of argument for the realization of left-wing strategies. A correct and factual recording is, therefore, absolutely necessary and a change in current practice is more than overdue.[46]

III. Suspects

The suspects described by the AfD in its press releases on crime in Germany were mostly male, young, and immigrant.

1. Gender

Out of two hundred and three suspects the gender of sixty-seven were mentioned, 98.5% of whom were male and 1.5% female. By comparison, 75.1% of all suspects registered with the police in 2018 were male and 24.9% female.[47]

2. Age

The ages of forty suspects were mentioned by the AfD. Of this group, 12.5% were children, 25% teenagers, 27.5% adolescents—18–21 years—and 35% adults. Of all suspects, 65% described are under twenty-one years of age. By comparison, of all suspects registered by police in 2018, only 21.1% were under the age of twenty-one.[48] In the case of minor suspects, however, the age information was occasionally questioned. For example, an "allegedly ten-year-old Afghan"[49] was described as violent. "If one sees the pictures of the alleged perpetrator, one can also have justified doubts in the current case about the Afghan 'refugee' being a minor."[50]

3. Nationality

In order to be able to classify the AfD's perspective on the nationality of suspects, reference is again made to the police crime statistics (PKS). According to those, 65.5% of all identified suspects are of German nationality (see Figure 5).

The AfD paints a clearly divergent picture. Insofar as suspects are specifically depicted, their nationality remains largely undetermined, 50.7%, or is primarily foreign, 46.8%. Offenses committed by Germans are discussed in only 2.5% of cases (see Figure 6).

[44]Press Release, AfD state association of Thuringia (Sept. 23, 2018) (on file with author).
[45]Press Release, AfD state association of Thuringia (May 29, 2018) (on file with author).
[46]Press Release, AfD faction in the state parliament of Mecklenburg-West Pomerania (Sept. 11, 2018) (on file with author).
[47]PKS 2018, *supra* note 3, at 32.
[48]*Id.*
[49]Press Release, AfD faction in the state parliament of Brandenburg (Sept. 3, 2018) (on file with author).
[50]Press Release, AfD faction in the state parliament of Rhineland-Palatinate (Jan. 3, 2018) (on file with author).

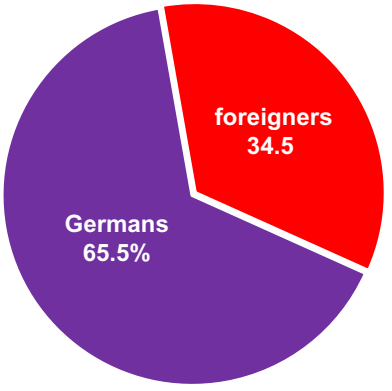

Figure 5. Nationality of suspects according to police crime statistics 2018.[51]

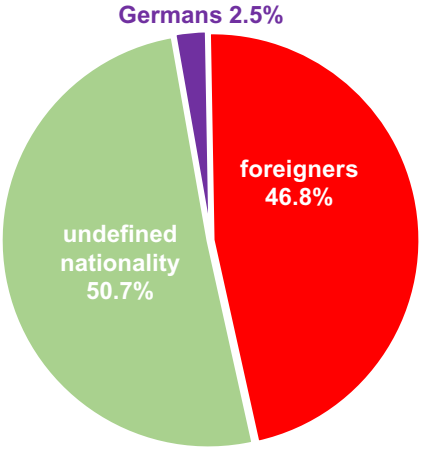

Figure 6. Nationality of suspects according to AfD 2018.[52]

The most commonly used terms in the text[53] are: Asylum seeker, 23.2%; migrant, 22.7%; foreigner, 20.7%; refugee, 17%; and immigrant ("Zuwanderer"), 10.8%. There is talk of "persons seeking protection" in 3.4 % of the material. This term is consistently placed in quotation marks and, moreover, fugitives, 0.6 %, are mentioned exclusively in distancing terms—for example, "so called . . . ."[54]

The distribution of non-German nationalities—which differs markedly from the criminal statistics—is striking (see Table 1). Suspected offenders from Syria, Afghanistan, and Iraq in the crime statistics account for a total of 5.2%, while they make up 47% of the AfD's entries. Five of the nationalities most frequently registered by the police—Romania, Poland, Serbia, Italy, and the Russian Federation—were not addressed in the AfD texts examined.

[51]N = 2,051,266 suspects in all criminal offenses, including violations of foreigners' laws. PKS 2018, *supra* note 3 at Table 62. Here, violations of foreigners' laws were also taken into account, as they are relevant in 5.9 % of the examined press releases. *Id.* Without violations of foreigners' law, the proportion of non-German suspects is 30.5%. *Id.*

[52]N = 203 mentions of suspects from 242 AfD reports on crime in Germany, 2018, figures in percent. Hestermann & Hoven, *supra* note 20.

[53]N = 353 terms for non-Germans from 242 AfD reports on crime in Germany, 2018, figures in percent. *Id.*

[54]Press Release, AfD faction in the state parliament of Saarland (Sept. 4, 2018) (on file with author).

Table 1. Nationality of suspects in comparison between police crime statistics and AfD reports 2018.[55]

Nationality	Police %	AfD %
Germans	**65.5**	**5.0**
Non-Germans	**34.5**	**95.0**
Turkey	3.5	4.0
Romania	2.6	0
Syria	2.5	19.0
Poland	2.2	0
Afghanistan	1.5	20.0
Iraq	1.2	8.0
Serbia	1.1	0
Italy	1.1	0
Iran	0.8	2.0
Russian Federation	0.7	0
Other	17.4	42.0

Accordingly, an increase in the number of suspects among certain immigrant groups is declared to be virtually inevitable: "Merkel has imported hundreds of thousands of men from misogynistic medieval societies such as Iraq, Eritrea, Pakistan and Afghanistan, of which a high significant number are irascible and violent." ("Merkel hat hunderttausende Männer aus frauenfeindlichen Mittelalter-Gesellschaften wie Irak, Eritrea, Pakistan und Afghanistan importiert, eine hohe signifikante Zahl ist jähzornig und gewalttätig.").[56]

The number of suspects was mentioned in ninty-one cases. In 50.5% of cases, the report referred to individual suspects, in 14.3% to two suspects, and in 35.2% to groups of three or more suspects. Crimes committed by members of criminal foreign clans were the subject of 4.5% of press releases. "Turkish, Arab and Kurdish extended families in particular now control entire streets and districts in cities such as Berlin, Essen, Duisburg and Bremen."[57] The reports on clan crime paint a picture of a lack of willingness to integrate, growing parallel societies, and the weakening of the state monopoly on the use of force. The crimes committed by foreign extended families are usually attributed to a "completely misguided migration policy."[58]

East German regional associations of AfD warn that foreign clans could shift their criminal activities from West German cities to the East.

> So far, we have only known these effects of a misguided immigration and asylum policy from West Germany and Berlin. There, Arab clan families have been up to mischief for over 30 years and have large parts of organized crime under their control. Now these cancers are spreading to Saxony and infiltrating the constitutional state with mafia methods.[59]

[55]N1 = 2,051,266 suspects. PKS 2018, *supra* note 3 at Table 62. N2 = 100 suspects whose nationality was reported, from 242 AfD reports on crime in Germany, 2018, figures in percent. Hestermann & Hoven, *supra* note 20. Note: The high proportion of "others" can be explained, among other things, by the fact that in many cases no nationality is mentioned, but that information on status—such as asylum seekers—makes it clear that they are non-German suspects.

[56]Press Release, AfD state association of Rhineland-Palatinate (Jun. 12, 2018) (on file with author).

[57]Press Release, AfD Federal Association (Aug. 6, 2018) (on file with author).

[58]Press Release, AfD faction in the state parliament of Mecklenburg-West Pomerania (Mar. 7, 2018) (on file with author).

[59]Press Release, AfD state association of Saxony (Oct. 24, 2018) (on file with author).

German suspects were mentioned in only 2.5% of the AfD press releases, and if they were mentioned, this fact was consistently relativized. Either the emphasis was on the fact that the suspects are not originally German, for example "a person from Iraq with German citizenship,"[60] or it was stressed that the contribution of Germans to the crime was low: "Of these 37 suspects, only one has a German citizenship."[61]

IV. Victims

1. Sex, Age, and Nationality of Victims of Crime

In ninety cases, the gender of the victim was mentioned; in these cases, 53.3% of victims were male and 46.7% female. By comparison, of all crime victims registered by the police in 2018, 59.6% were male and 40.4% female.[62] It is argued that immigration from Muslim countries introduces the prevailing ideas of honor and of a subordinate role of women to Germany. The meeting of different cultural traditions supposedly favors the commission of crimes, especially against vulnerable groups such as women and girls. The Hessian AfD state spokesman Robert Lambrou pointed out "that rows and rows of women are killed for nothing, for 'honor'; that was not the case in Germany in the past!" ("Der hessische AfD Landessprecher Robert Lambrou wies darauf hin, dass reihenweise Frauen wegen nichts umgebracht werden, wegen der 'Ehre', das gab es so früher in Deutschland nicht!").[63]

AfD reports mentioned the age of forty-one victims, of whom 9.8% were children, 39% teenagers, 24.4% adolescents, and 26.8% adults—thus, 73.2% of all crime victims described were under the age of twenty-one. By way of comparison, 23.8% of all crime victims registered by the police in 2018 were under the age of twenty-one.[64]

In the case of forty-seven victims reported on by the AfD, explicit reference was made to nationality, of which, 80.9% were German and 19.1% were foreign. According to police statistics, 22.6% of all victims of crime registered in 2018 were non-German.[65] Nevertheless, a contrast between the threatening foreigners and the endangered Germans is often hinted at by AfD spokespersons: "The deportation of criminal offenders protects the local population." [66] The fact that the proportion of German victims is not higher can be explained by the fact that the German nationality of victims can often be recognized from the context, but it is not explicitly mentioned in each case.[67] For example, 3.7% of all press releases dealt with the violent death of fourteen-year-old Susanna. Although none of the texts explicitly state her nationality as German, her death clearly symbolizes the threat to the German population: "Susanna is dead, the parents of the young girl and the public now have this sad certainty. She was allegedly the victim of an Iraqi refugee who had already attracted police attention several times in Wiesbaden. . . . 'When will our country finally protect its children effectively?'"[68] Elsewhere, it says accordingly: "The martyrdom of 14-year-old Susanna from Wiesbaden probably lasted a whole day until her bestial murder. . . . 100 German crime victims of the welcoming culture every single day."[69]

While the profiles of the perpetrator—as they appear from the AfD press releases—deviate significantly from Police Crime Statistics, the victim profiles largely correspond to the statistically

[60]Press Release, AfD faction in the state parliament of Rhineland-Palatinate (Jul. 10, 2018) (on file with author).
[61]Press Release, AfD faction in the state parliament of Rhineland-Palatinate (May 3, 2018) (on file with author).
[62]N = 1,025,241 crime victims to the extent recorded. PKS 2018, *supra* note 3, at 34.
[63]Press Release, AfD state association of Hessen (Jun. 9, 2018) (on file with author).
[64]*See* PKS 2018, *supra* note 3, at 34.
[65]*Id.* at 11.
[66]Press Release, AfD faction in the state parliament of Hamburg (Aug. 24, 2018) (on file with author).
[67]In order to achieve the greatest possible selectivity in content analysis, the characteristics directly and explicitly assigned to a person serve as filtering criteria.
[68]Press Release, AfD faction in the state parliament of Rhineland-Palatinate (Jun. 7, 2018) (on file with author).
[69]Press Release, AfD faction in the state parliament of Baden-Wurttemberg (Jun. 7, 2018) (on file with author).

measured values.[70] This shows that the decisive filter criterion for a report is the characteristics of the suspects and not of the victims. This is an essential difference to the crime reporting in other media. As a long-term analysis of television reports on violence shows, journalists mainly report on crimes suffered especially by young and female victims—worthy victims. The perpetrator characteristics are less selective there.[71] In the AfD press releases, the opposite is true. Here, offenses are primarily selected on the basis that the suspects are foreign, male, and young; nevertheless, the victim characteristics are less selective.

2. Police Officers as Victims

Attacks against police officers, which are described in 8.3% of the AfD texts, are considered to be symbolic for an attack on German society. Every other such attack is explicitly described as having been committed by foreigners. It is not the officer's person that is focused on but his role as a representative of state authority. The act is seen as an expression of a lack of respect for the German state and its institutions:

> Due to the uncontrolled immigration of disrespectful and criminal migrants, the constitutional state loses its force and reveals its powerlessness. When police officers are attacked on the open street, insulted and threatened by gangs of foreigners with claqueurs filming the assault and cheering on the perpetrators, then the end of the state monopoly on the use of force in Germany is impending.[72]

3. The AfD as a Victim

AfD members are one of the most frequently mentioned crime victims. Of all reports, 13.2% refer to attacks on persons or institutions of the AfD. Yet, in these cases, the image of the perpetrator remains rather vague and is most often referred to as *Antifa*: "Once again, Antifa has made innocent citizens the target of one of its terrorist attacks with its inhuman hostility towards democracy."[73] In 18.7% of the reports on this topic, the attacks were blamed on the majority parties: "Some members of the provincial government and the government factions provide the perpetrators with mental support through verbal outbursts, defamations of the AfD and expressions of solidarity with left-wing extremists instead of taking effective countermeasures."[74] In about 9% of the statements, the police are criticized for not having provided sufficient protection for AfD members: "And the state power, our police? Stood next to it, helpless, unconscious, and ran along."[75]

V. Government Action and Severity of Penalties

1. Actors

The AfD cites the "misguided refugee policy"[76] of recent years as a major cause of the social threat posed by crime. This policy is said to have led to a "dramatic deterioration" of the security situation.[77] In 20.2% of the AfD press releases in the period under review, other parties were named

[70]Only the age deviates: A disproportionately large number of young victims are recorded in the AfD press releases.

[71]Thomas Hestermann, Fernsehgewalt und die Einschaltquote: Welches Publikumsbild Fernsehschaffende leitet, wenn sie über Gewaltkriminalität berichten (2010).

[72]Press Release, AfD Federal Association (Aug. 22, 2018) (on file with author).

[73]Press Release, AfD state association of Baden-Wurttemberg (June 9, 2018) (on file with author). "Antifa" is a common term for anti-fascist movements in Germany.

[74]Press Release, AfD faction in the state parliament of Thuringia (Apr. 18, 2018) (on file with author).

[75]Press Release, AfD state association of North Rhine-Westphalia (Sept. 20, 2018) (on file with author).

[76]Press Release, AfD faction in the state parliament of Baden-Wurttemberg (Sept. 3, 2018) (on file with author).

[77]Press Release, AfD National Association (Sept. 27, 2018) (on file with author).

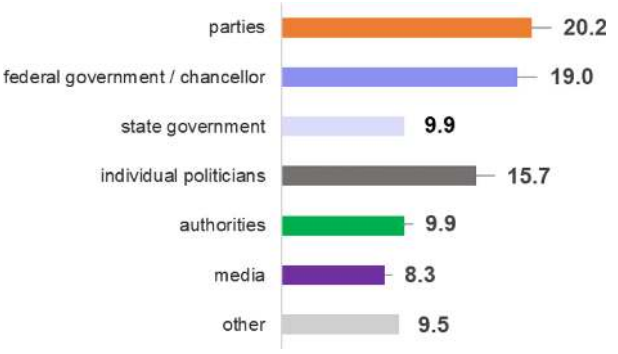

Figure 7. Responsible actors according to AfD 2018.[78]

as responsible actors: In 19.0%, the Federal Government or the Federal Chancellor; in 15.7%, individual politicians explicitly named; in 9.9%, authorities; in 8.3%, media; and in 9.5%, other actors (see Figure 7).

The AfD derives personal accusations of guilt from its criticism of immigration policy. "Ladies and gentlemen of the Old Parties, every victim of knife immigration is your victim. You are personally responsible for every violent crime and every criminal offence."[79]

The most frequently named person by far is Chancellor Angela Merkel, at 8.7%. To underscore the drastic criticism of her person, AfD authors have created several new expressions, such as *Merkelregime*[80] (Merkel regime), or *Merkel-Deutschland* (Merkel Germany): "Nowadays, reports of rape and sexual assault are unfortunately part of everyday life in Merkel Germany."[81]

There is no evidence of any concentration on any other individual politician mentioned by name. The CDU/CSU, 7.9 %, and SPD, 7.4 %, politicians are mentioned most frequently. With regard to the office, the focus is on State interior ministers, at 4.5 %.

2. Criticism of the Judiciary

The judiciary plays a role in 7.9% of the AfD press releases examined. In particular, the accusation of treating criminals too leniently is raised. The "therapeutic cuddle justice practiced with regard to violent offenders"[82] must come to an end, which is one of the AfD demands.

The AfD further claims that many reports of offenses have not yet been investigated or brought to trial. Sometimes, the AfD authors link this fact to an expectation of lenient treatment of offenders: "The perpetrators, however, according to all previous experience, face lenient punishment."[83]

The AfD statements paint the picture of a weak judiciary whose penalties no longer deter potential perpetrators. The authors criticize that the courts' lax attitude towards delinquent immigrants mean that they no longer take the law seriously. "The red-red-green motivated cuddling course against violent so-called 'protection seekers' makes them laugh at us Germans and our rules."[84]

This applies in particular to the imposition of suspended sentences, which is not perceived as an appreciable sanction. "What may go on in the minds of such perpetrators if they commit criminal acts as 'help seekers' and guests and are not expelled and, moreover, get away with a ridiculous suspended sentence?"[85]

[78]N = 224 mentions of participants (multiple mentions possible) from 242 AfD reports on crime in Germany, 2018, figures in percent. Hestermann & Hoven, *supra* note 20.

[79]Press Release, AfD faction in the Brandenburg state parliament (Oct. 9, 2018) (on file with author).

[80]Press Release, AfD state association of Saxony-Anhalt (Jun. 8, 2018) (on file with author).

[81]Press Release, AfD state association of Thuringia (Jun. 23, 2018) (on file with author).

[82]Press Release, AfD faction in the state parliament of Schleswig-Holstein (Sept. 13, 2018) (on file with author).

[83]Press Release, AfD Federal Association (Oct. 26, 2018) (on file with author).

[84]Press Release, AfD faction in the state parliament of Brandenburg (Sept. 19, 2018) (on file with author).

[85]Press Release, AfD faction in the state parliament of Berlin (Mar. 14, 2018) (on file with author).

Some of the statements express a lack of understanding for the "generous application of juvenile criminal law."[86] One press release, for example, calls for the application of adult criminal law in all cases of "knife attacks." The authors do not discuss the fact that juvenile criminal law is mainly an educational function, but it takes into account the ongoing development of the offender's personality and, therefore, does not apply the sentence ranges indicated in the Penal Code in accordance with the severity of the act.[87] "'In cases of knife attacks, the application of criminal law relating to young offenders should generally not be allowed,' demands Uwe Junge, parliamentary group chairman of the AfD in the state parliament of Rhineland-Palatinate."[88] A further point of criticism is that criminals are "regularly" released on remand[89] after their offense has been discovered.

The AfD claims that immigrants in particular—in comparison to German defendants—experience exceptional leniency in sentencing.

> Murderers and rapists, especially those who have immigrated, are often punished only symbolically. At the same time, an attack on a mosque, for example, in which there was no one injured or killed but only a dirty façade was left behind, is punished with ten years imprisonment, harder than the bestial murder of a young German.[90]

The practice of the criminal courts, according to the AfD, is not compatible with the people's sense of justice. The judiciary is said "to have thrown the last remnant of common sense overboard,"[91] thus moving away from the beliefs and expectations of citizens.

D. Conclusion

The core of populist politics is the assumption of an antagonism between ordinary people and the political elites.[92] The people are regarded as righteous and ethnically homogeneous,[93] but their interests are deliberately ignored by those in power. Populist parties project themselves as advocates of the people and their concerns.[94] Populist politics is identity politics,[95] in that the reference to the true will of the people presupposes social homogeneity and is inevitably antipluralistic.[96]

Crime and punishment are particularly suitable fields of activity for populist politics. First, the supposed threat to the population by criminals serves to construct an image of social homogeneity

[86]Press Release, AfD faction in the state parliament of Schleswig-Holstein (Sept. 13, 2018) (on file with author).

[87]In Germany, juvenile criminal law is applicable to offenders aged fourteen to seventeen. For adolescents of eighteen to twenty years, the application of juvenile law is optional, Sec. 1 (2) Youth Courts Act. Under juvenile law, the regular sentence ranges of adult criminal law do not apply; instead, the court is to select a sentence that best pursues the goal of educating the young person, Sec. 2, 18 Youth Courts Act.

[88]Press Release, AfD faction in the state parliament of Rhineland-Palatinate (Sept. 4, 2018) (on file with author).

[89]Press Release, AfD faction in the state parliament of Brandenburg (Sept. 19, 2018) (on file with author); Press Release, AfD state association of Saarland (Apr. 13, 2018) (on file with author); Press Release, AfD faction in the state parliament of Saarland (Jun. 21, 2018) (on file with author); Press Release, AfD faction in the state parliament of Saarland (Jul. 21, 2018) (on file with author).

[90]Press Release, AfD faction in the state parliament of Baden-Wurttemberg (Sept. 3, 2018) (on file with author).

[91]Press Release, AfD faction in the Bundestag (Aug. 8, 2018) (on file with author).

[92]*See* Emanuel Richter, *Populismus und der "gesunde Menschenverstand"*, *in* POPULISMUS UND EXTREMISMUS IN EUROPA—GESELLSCHAFTSWISSENSCHAFTLICHE UND SOZIALPSYCHOLOGISCHE PERSPEKTIVEN 79 (Brömmel et al. eds., 2017).

[93]*See* JAN-WERNER MÜLLER, WAS IST POPULISMUS? 19 (2016).

[94]*See* MARCO CARINI & ANDREAS SPEIT, RONALD SCHILL: DER RECHTSSPRECHER 137 (2002); Hans-Georg Betz, *Rechtspopulismus: Ein internationaler Trend?*, 48 AUS POLITIK UND ZEITGESCHICHTE at 3, 5 (1998).

[95]*See*, Becker/Reddig, Punitivität und Rechtspopulismus, *in* PUNITIVITÄT, 8. BEIHEFT KRIMINOLOGISCHES JOURNAL 173, 175 (Rüdiger Lautmann et al. eds., 2004); Puhle, Was ist Populismus?, *in* POPULISMUS UND AUFKLÄRUNG 13 (Helmut Dubiel ed., 1986); Claudia Ritter, *Passion und Politik. Zur Rationalität von Emotionen in Prozessen politischer Identitätsbildung*, *in* MASSE—MACHT—EMOTIONEN 219, 224 (Ansgar Klein & Frank Nullmeier eds., 1999).

[96]*See* MÜLLER, *supra* note 93.

because a community is constituted—among others—by processes of exclusion and inclusion.[97] With the demand for severe punishment, clear images of the enemy are formulated: The offender violates basic social standards of conduct and thus stands against the community of honest and law-abiding citizens.[98]

The foreign offender offers particular potential for exclusion. He is not regarded as part of the community, not only because of his actions, but because of his national, ethnic, or religious affiliation. His offense does not appear as a single event but as a general phenomenon; the foreign offender not only breaks a concrete norm but generally opposes the values and laws of the community. Crimes committed by foreign extended families are particularly explosive: Clan crime and parallel societies are seen as an attack on the state's monopoly on the use of force and thus as a direct threat to the German state.

Populist crime rhetoric exaggerates the dangers for the security of the individual[99] and creates the image of a community threatened by crime.[100] It is quite possible to present individual findings for that proposition if these findings are taken in isolation. For example, the figures in the Federal Situation Survey confirm a disproportionately high crime rate among immigrants. Addressing this issue is necessary in order to draw an accurate picture of the challenges of migration. But by focusing on immigrants as perpetrators, on serious crimes, and on particularly threatening means of committing crimes—by generalizing, blaming one-sidedly, and dramatizing linguistically—the AfD fuels exaggerated fears of crime and concerns about the weakness of the state. At the same time, reports and statistics that put these concerns into perspective are not addressed.

Our content analysis of 242 press releases on crime in Germany issued by AfD associations and parliamentary groups at the federal and state levels in 2018 provides evidence for this thesis: 95% of the suspects described in AfD statements are non-Germans, and almost exclusively immigrants, only 5% are Germans—and even among the few German suspects, there is consistent mention of a migration background or a low crime contribution. Foreigners who have lived in Germany for a long time, and in large numbers, are not discussed: During the investigation period there was not a single reference to Russian, Polish, or Italian suspects. Rather, the statements focus on immigrants from Syria, Afghanistan, and Iraq, thereby supporting the central interpretation of the opening of the border in 2015 as a fatal failure of the state. By blaming the governing parties for the crimes committed by immigrants, the AfD is deepening the gap between the people and the elites, which is essential for populism. The accusation is that the political elites ignore the legitimate security needs of the community by treating the perpetrators with leniency, motivated by a misunderstood "do-goodism", naiveté, and ideological stubbornness. The state, it is claimed, neglects its primary duty to protect its own citizens through inefficient law enforcement and a one-sided regard for the perpetrator's interests.

The explosion of crime often predicted by the AfD has, however, not occurred. Over the past ten years, crimes recorded by the police have fallen by 9.1% and there are now fewer crimes than before the influx of immigrants in 2015.[101] The AfD seeks to counter this positive overall picture by citing selected statistics and, above all else, dramatic individual cases. The party uses narrative

[97] *See Fuchs*, Soziale Integration und Politische Institutionen in modernen Gesellschaften, *in* Soziale Integration, Special Issue 39 Kölner Zeitschrift für Soziologie und Sozialpsychologie 147, 156 (Jürgen Friedrichs & Wolfgang Jagodzinski eds., 1999).

[98] *See* Helga Cremer-Schäfer & Heinz Steinert, Straflust und Repression: zur Kritik der populistischen Kriminologie 34 (1998).

[99] Frank Nobis, *Strafrecht In Zeiten des Populismus*, 38 Strafverteidiger 7, 453 (2018); Karl-Ludwig Kunz & Tobias Singelnstein, Kriminologie § 24 para. 60 (7th ed. 2016).

[100] Heinz Steinert, *Kulturindustrielle Politik mit dem Großen & Ganzen: Populismus, Politik-Darsteller, ihr Publikum und seine Mobilisierung*, 4 Internationale Politik und Gesellschaft 99, 402, 406 (1999); Becker & Reddig, *supra*, note 95, at 174.

[101] PKS 2018, *supra* note 3, at 26.

techniques that have proven their emotionalizing potential in tabloid journalism: Readers are to be distressed not by statistics but by an individual fate—no matter how atypical it is.[102]

Representative population surveys, however, do not support the assertion of a wide-spread uncertainty. The vast majority of the population is hardly concerned about crime—41.9% of Germans feel rather secure in their living environment, and 36.7% feel very secure.[103] With the promise of a strict crime and security policy, the AfD is hitting the nerve of its own voters: In a survey after the terrorist attacks in Paris and the events in Cologne on New Year's Eve 2016, AfD supporters were almost three times more susceptible to fear than CDU and SPD supporters.[104]

The AfD presents itself not only as an advocate for the worried but also for the victims. Of all press releases examined, 13.2% take up attacks against persons and institutions of the AfD. Thus, voters and supporters of the AfD are included in the victimization picture: Offenses are committed indirectly against them. From this, the party concludes that the citizens concerned cannot expect any protection from the political elites; their concerns and their security do not play a role for the ruling parties. Politicians of other parties are said to even sympathize with the attacks on the AfD. There is no evidence, however, to suggest such an attitude, with the exception of a—totally unacceptable—call by deputy SPD leader Ralf Stegner to attack the "positions and personnel of right-wing populists."[105]

The selection of covered crimes also supports the picture of a dramatic risk of crime by immigrants. There are frequent reports of offenses in which non-Germans or immigrants are over-represented as suspects, such as sexual assaults, drug offenses, and terrorist acts.[106] Here, the offense follows the perpetrator: What seems decisive is not primarily the offense itself but the perpetration of the offense by an immigrant. This approach may explain the, at first glance, surprisingly clear positioning against anti-Semitic crimes. In this context, the AfD refers to anti-Semitic resentments of Muslim immigrants, at the same time trying to deflect the general suspicion that right-wing extremists commit anti-Semitic offenses. In fact, numerous studies have found that anti-Semitism is widespread among Muslim immigrants and is mixed with criticism of Israel.[107] Empirical evidence for acts of violence based on this attitude is, however, still incomplete.

In the AfD press releases, knives as a means of committing crimes are strongly emphasized. A knife is mentioned in 66.7% of those case descriptions in which a weapon plays a role. In fact, the police are increasingly registering crimes committed with knives, and it is evident that young

[102] *See* HESTERMANN, *supra* note 71.

[103] *See* BIRKEL ET AL., *supra* note 6, at 46.

[104] A forsa survey commissioned by ZEIT asked the question: "Have you changed your habits due to events such as the terrorist attacks in Paris or the attacks in Cologne, and do you behave differently in everyday life?" Supporters of the SPD responded "yes" in 10%, supporters of the CDU/CSU in 11%, and supporters of the AfD in 29%. Philip Faigle & Götz Hamann, *Jeder sechste Deutsche hat sein Alltagsverhalten verändert*, ZEIT ONLINE (Jan. 28, 2016), http://bit.ly/2WzDCzv.

[105] The deputy SPD federal chairman Stegner tweeted on May 8, 2016: "Fact remains, you have to attack positions and personnel of the right-wing populists, because they are outdated, intolerant, right-wing and dangerous!" ["Fakt bleibt, man muss Positionen und Personal der Rechtspopulisten attackieren, weil sie gestrig, intolerant, rechtsaußen und gefährlich sind!" (sic)], Ralf Stegner (@Ralf_Stegner), TWITTER (May 8, 2016, 3:33 AM), http://bit.ly/2JudXEN.

[106] The share of non-German suspects—including immigrants—in rape, sexual coercion, and sexual assault in particularly serious cases, including those resulting in death, was 38.5% in 2018; the share of immigrants alone was 16.4%, *see* PKS 2018, *supra* note 3, at 14. Non-Germans—including immigrants—accounted for 27.1% of drug-related offenses; immigrants in isolation accounted for 8.4%, *see* PKS 2018, *supra* note 3, at 21. *See also* BUNDESKRIMINALAMT [BKA], BUNDESLAGEBILD KRIMINALITÄT IM KONTEXT VON ZUWANDERUNG 20, 40 (2018); Tatjana Hörnle, *Taten nach § 177 StGB in der Polizeilichen Kriminalstatistik*, *in* KRIMINALPOLITISCHE ZEITUNG 218 (2018).

[107] Andreas Zick et al., *Jüdische Perspektiven auf Antisemitismus in Deutschland: Ein Studienbericht für den Expertenrat Antisemitismus* (Apr. 2017), http://bit.ly/2J2RE9Y; EUROPEAN UNION AGENCY FOR FUNDAMENTAL RIGHTS, EXPERIENCES AND PERCEPTIONS OF ANTISEMITISM: SECOND SURVEY ON DISCRIMINATION AND HATE CRIME AGAINST JEWS IN THE EU (2018), http://bit.ly/2HhES5r.

people—with and without a migration background—increasingly carry knives in public.[108] The growing danger of a fatal escalation of initially insubstantial quarrels must be combatted through consistent prevention measures. For example, the Glasgow police, in collaboration with social workers, have been able to curb the arming of juvenile gangs and thus reduced violent crime.[109]

Yet, AfD press releases do not use the concern immigrant crime as an opportunity for discussing more effective prevention measures. Instead, the problem is to be solved by enhanced repression. The aim is a consistent law and order policy: Stricter penalties, especially for repeat offenders,[110] a restriction of the applicability of juvenile criminal law,[111] and a lowering of the age of criminal responsibility.[112] First and foremost, the party's criminal policy demands tougher action against immigrants and foreigners living in Germany, especially Muslims. The AfD presents itself as the only party that is prepared to fight crime with what it regards as the right means: By closing the borders and immediately deporting foreigners who committed crimes.[113]

Our content analysis shows how the opposition party, AfD, exaggerates some crime phenomena and ignores others. It remains to be explored to what extent their themes and theses on the development of crime are echoed in the media and in public debate. It also remains to be seen whether other parties use similar argumentation patterns to underpin their respective positions in criminal policy. This question could be explored through a comparative content analysis.

An emotionalizing and generalizing criminal populist rhetoric can have a considerable influence on the population's fear of crime.[114] Several studies have pointed out that the public perception of crime does not necessarily coincide with the statistical data but is strongly influenced by political debates and the media.[115] At the same time, an interaction can be observed: When the audience is interested in particularly emotional events, journalists report more intensively.[116]

An exaggerated fear of crime is highly detrimental to social cohesion; it does not only affect the quality of life of individuals, but also damages the community spirit and leads to a loss of trust in government institutions. Populist criminal policy also carries the risk of ignoring criminological findings and of preferring short-term solutions to complex concepts over developing long-term policies.

[108]Von Patrick Gensing & Gabor Halasz, *Messerattacken in Deutschland: Defizitäre Statistiken*, TAGESSCHAU.DE (Mar. 26, 2018), http://bit.ly/2Y8YttS; Marie Christine Bergmann et al., *Jugendliche in Niedersachsen: Ergebnisse des Niedersachsensurveys 2017*, KFN FORSCHUNGSBERICHT NR. 144, 61-62 (2019).

[109]VIOLENCE REDUCTION UNIT, GLASGOW'S COMMUNITY INITIATIVE TO REDUCE VIOLENCE, SECOND YEAR REPORT (2020), https://bit.ly/2XycODo.

[110]Press Release, AfD state association of Thuringia (Sept. 25, 2018) (on file with author); *See also* Gesetzentwurf [Draft Bill], DEUTSCHER BUNDESTAG: DRUCKSACHEN [BT] 19/6371, http://dipbt.bundestag.de/dip21/btd/19/063/1906371.pdf.

[111]Press Release, AfD faction in the state parliament of Rhineland-Palatinate (Sept. 4, 2018) (on file with author).

[112]Press Release, AfD faction in the state parliament of Brandenburg (Sept. 3, 2018) (on file with author).

[113]*See e.g.* Press Release, AfD Federal Association (Sept. 13, 2018) (on file with author); *See also*: ALTERNATIVE FÜR DEUTSCHLAND [AFD], PROGRAMM FÜR DEUTSCHLAND: DAS GRUNDSATZPROGRAMM DER ALTERNATIVE FÜR DEUTSCHLAND 48 (2016), http://bit.ly/2Wswjtw.

[114]Elisa Hoven, *Die öffentliche Wahrnehmung von Strafzumessungsentscheidungen—Anlass für Reformen?*, 5 KRIMINALPOLITISCHE ZEITUNG 276, 287 (2018).

[115]Hans-Jörg Albrecht, *Öffentliche Meinung, Kriminalpolitik und Kriminaljustiz*, *in* ALLTAGSVORSTELLUNGEN VON KRIMINALITÄT—INDIVIDUELLE UND GESELLSCHAFTLICHE BEDEUTUNG VON KRIMINALITÄTSBILDERN FÜR DIE LEBENSGESTALTUNG 491, 506 (Michael Walter et al. eds., 2004).

[116]VON LICHTGESTALTEN UND DUNKELMÄNNERN: WIE DIE MEDIEN ÜBER GEWALT BERICHTEN (Thomas Hestermann ed., 2012).

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