# Attorney general compares UK talks on leaving international courts to Nazi rhetoric



In a provocative address at the Royal United Services Institute, Attorney General Richard Hermer has likened contemporary discussions around the UK's potential exit from international courts to the rhetoric employed by Nazi Germany in the early 1930s. Hermer condemned the notion that Britain could neglect its international obligations, proclaiming it a “radical departure from the UK’s constitutional tradition.” This alarming comparison underscores a broader political discourse that has ignited heated debate within the UK about its role in global governance and human rights enforcement.

Hermer specifically referred to the ideas of the German jurist Carl Schmitt, who articulated a vision of state power overriding legal frameworks. He remarked, “This is not a new song,” highlighting the historical precedent set by those who sought to dismiss the constraints imposed by international law during a period that led to catastrophic consequences. As the Attorney General noted, the response to such ideologies shaped the reconstruction of international legal institutions after Adolf Hitler's ascent to power in 1933, suggesting that the lessons of history remain painfully relevant today.

The backdrop to this controversy includes remarks from key political figures, such as Conservative leader Kemi Badenoch and Nigel Farage, both of whom have hinted at a potential withdrawal from the European Convention on Human Rights (ECHR). Badenoch's position, though not a direct call to exit the ECHR, suggests readiness to abandon obligations if they impede national security, echoing sentiments that Hermer strongly rebuffed. He argues that such an approach could embolden adversaries like Vladimir Putin, signalling a retreat from the values underpinning a rules-based order, which has long been a cornerstone of British foreign policy.

Moreover, Hermer's advocacy for international law as essential for securing Britain’s influence and stability in global politics aligns with a growing consensus among moderates. Reflecting on the UK’s historical role in shaping international law, he stressed the importance of adhering to established legal frameworks, suggesting that veering away from these commitments would render the UK vulnerable and isolated. This perspective contrasts sharply with the views of populist factions that advocate for a diminished role in international agreements, framing adherence to international law as an outdated relic.

Hermer's robust defence of international treaties also comes in light of recent criticisms regarding his handling of various diplomatic matters, including the return of the Chagos Islands to Mauritius. His critics, such as Labour peer Lord Maurice Glasman, have called for his resignation, arguing that his legalistic approach prioritises international law over pragmatic political solutions. Nevertheless, Hermer has found support among prominent figures, including Labour leader Keir Starmer, who has reiterated the party's commitment to the ECHR and the rule of law.

The trajectory of Hermer's tenure as Attorney General, characterised by a focus on both maintaining international obligations and addressing pressing domestic issues such as immigration and the legal ramifications of the ongoing Israel-Hamas conflict, illustrates the complexities faced by the current government. In his efforts to align Britain's legal framework with evolving global standards, Hermer seeks to restore the UK’s reputation as a steward of the rule of law—a task that, while fraught with political tension, is deemed critical for the nation’s future stability and influence on the world stage.

As political factions grapple with differing visions of Britain’s identity and commitments, the debate surrounding the UK's role in international law remains a critical issue. Hermer’s stance not only evokes historical caution but also highlights the imperative of upholding legal agreements that underpin a stable and just world order—one where the lessons of the past are conscientiously remembered and respected.

## Reference Map:

* Paragraph 1 – [[1]](https://www.irishnews.com/news/uk/attorney-general-compares-calls-to-leave-international-courts-with-nazi-germany-X3Z44B6TMRKAFG2TN47UWCQXBA/), [[2]](https://www.ft.com/content/929a6597-28ab-4b44-bee3-b906c34e9e57)
* Paragraph 2 – [[1]](https://www.irishnews.com/news/uk/attorney-general-compares-calls-to-leave-international-courts-with-nazi-germany-X3Z44B6TMRKAFG2TN47UWCQXBA/), [[3]](https://www.ft.com/content/eadeb257-de36-4748-a6ea-1bd76806b8a0)
* Paragraph 3 – [[2]](https://www.ft.com/content/929a6597-28ab-4b44-bee3-b906c34e9e57), [[4]](https://www.ft.com/content/1032d709-9f10-42cc-8c33-75358d7423de)
* Paragraph 4 – [[3]](https://www.ft.com/content/eadeb257-de36-4748-a6ea-1bd76806b8a0), [[5]](https://www.ft.com/content/3731eb2c-a3de-45bb-a9b3-ed936c4f6067)
* Paragraph 5 – [[5]](https://www.ft.com/content/3731eb2c-a3de-45bb-a9b3-ed936c4f6067), [[6]](https://www.ft.com/content/c7fe9736-c301-46e2-9213-cb873aa68ae4)

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## Bibliography

1. <https://www.irishnews.com/news/uk/attorney-general-compares-calls-to-leave-international-courts-with-nazi-germany-X3Z44B6TMRKAFG2TN47UWCQXBA/> - Please view link - unable to able to access data
2. <https://www.ft.com/content/929a6597-28ab-4b44-bee3-b906c34e9e57> - UK Attorney-General Richard Hermer has strongly criticised Conservative leader Kemi Badenoch's suggestion that the UK should prepare to leave the European Convention on Human Rights (ECHR). Speaking at the Royal United Services Institute, Hermer argued that abandoning international treaties like the ECHR could embolden adversaries such as Vladimir Putin and undermine the West. While acknowledging the need for treaty reform to reflect shifting public sentiment and political realities, Hermer emphasised that international law should not be seen as replacing politics. He denounced Badenoch’s call for a sweeping review of Britain’s international agreements as dangerously naive. Hermer reaffirmed his support for the ECHR and its court, noting there's no contradiction between backing reforms and defending fundamental rights like Article 8, which the Conservatives have criticised. Though facing criticism from political opponents for placing international law above national interests—especially in the UK's decision to transfer sovereignty of the Chagos Islands to Mauritius—Hermer defended the move as a necessary step to avoid legal challenges. He described the government’s approach as “progressive realism,” asserting that true sovereignty depends on adherence to international law, not rejection of it. Prime Minister Keir Starmer has similarly committed to remaining in the ECHR.
3. <https://www.ft.com/content/eadeb257-de36-4748-a6ea-1bd76806b8a0> - Britain will not thrive in a might-is-right world and must uphold the rule of law despite political evolution. The current attack on Lord Hermer, the attorney-general, highlights his firm commitment to the rule of law, which clashes with the populist right's desire to lift judicial constraints on the government. Hermer's staunch defence of international courts, human rights laws, and the ECHR is criticised by populists who see the UK’s role in international law as outdated given the power shifts. Critics argue that the UK's strength in global politics is diminished without adherence to established legal frameworks, which were originally shaped by the UK. Consequently, efforts to dismantle international law could lead to a more chaotic world order, leaving the UK at a disadvantage. Britain's self-interest lies in maintaining the rules-based order for economic and political stability, and Hermer's work, although contentious, is indispensable to this goal. Despite the political challenges, abandoning this commitment would leave the UK weaker and less influential on the global stage.
4. <https://www.ft.com/content/1032d709-9f10-42cc-8c33-75358d7423de> - Lord Maurice Glasman, a Labour peer, has demanded the resignation of the UK's Attorney-General Lord Richard Hermer, amid growing internal party conflicts. Glasman criticises Hermer for his progressive stance, claiming he relies excessively on legal solutions rather than political ones. This controversy arises primarily due to Hermer's involvement in negotiating a deal to return sovereignty of the Chagos Islands to Mauritius while leasing Diego Garcia for military purposes. Hermer defended the agreement, stating it balances various interests and respects international law. Despite the criticism, Prime Minister Keir Starmer stands by Hermer, citing national security priorities. The political tension occurs against a backdrop of rising support for Nigel Farage's Reform UK, influencing Labour's recent focus on immigration and security policies. Hermer's appointment was unconventional as he entered the role directly from legal practice, without prior parliamentary experience, making his position contentious.
5. <https://www.ft.com/content/3731eb2c-a3de-45bb-a9b3-ed936c4f6067> - Lord Richard Hermer KC, the new attorney-general for England and Wales, has committed to restoring the UK’s reputation as a leader in upholding the rule of law. In his first interview since assuming office in July, Hermer criticised the previous Conservative government for actions that compromised Britain's legal standing, including attempts to breach international law over Brexit and the Rwanda asylum scheme. He emphasised the importance of trustworthy international agreements for encouraging investment. Hermer's focus also includes navigating several international and domestic challenges, such as the Israel-Hamas conflict and a significant backlog of criminal cases. His appointment, coming directly from the Bar, underscores Labour's intent to fortify the UK's legal and economic credibility. Despite the unexpected nature of his role, Hermer vows to ensure the government complies with all international legal obligations.
6. <https://www.ft.com/content/c7fe9736-c301-46e2-9213-cb873aa68ae4> - Richard Hermer KC has been appointed as the new attorney-general for England and Wales under Prime Minister Sir Keir Starmer. Hermer, a distinguished human rights lawyer, is known for his work in high-profile judicial review cases, including exposing alleged war crimes by British Special Forces in Afghanistan and opposing evidence sharing with the US in a Supreme Court case involving Isis members. His appointment, directly from the Bar, is seen as unconventional but advantageous due to his extensive legal experience and lack of political career interruptions. Hermer, 55, will provide legal advice to ministers, oversee major legal bodies, and possibly represent the government in significant court cases. His role may include decisions on charges against former Glencore employees and advising on the UK's stance on Israel's alleged war crimes. Hermer's past actions and vocal stances on issues like Rwanda's immigration policy and Israel's actions in Gaza hint at his potential influence on the government's legal strategies.
7. <https://en.wikipedia.org/wiki/Richard_Hermer,_Baron_Hermer> - Richard Simon Hermer, Baron Hermer, (born 1968) is a British barrister and life peer who has served as Attorney General for England and Wales and Advocate General for Northern Ireland since July 2024. Born and raised in Wales to a Jewish family, Hermer attended Cardiff High School. He went on to study politics and modern history at the University of Manchester and later pursued a legal career, being called to the bar in 1993. He joined Doughty Street Chambers in the same year and took silk in 2009, before leaving in 2012 to join Matrix Chambers. He later became the Chair of Matrix's Management Committee, and was appointed a deputy High Court judge in 2019. He has worked on numerous Supreme Court cases, including Lungowe v Vedanta Resources plc and Okpabi v Royal Dutch Shell plc. He argued that Shamima Begum should have been allowed to return to the United Kingdom to participate in her appeal when he intervened for Liberty in Begum v Home Secretary, and also represented the mother of one of the "ISIS Beatles". He represented former Guantánamo Bay detainee Abu Zubaydah in Zubaydah's Supreme Court case against the Foreign, Commonwealth and Development Office (FCDO), and argued against the deportation of al-Qaeda operative Abid Naseer. Hermer also acted for convicted terrorist Rangzieb Ahmed, and Saudi Arabian terrorist Mustafa al-Hawsawi. He was also involved in multiple cases related to the war on terror, including representing victims in the Afghan unlawful killings inquiry, and the inquest into Corporal Stephen Allbutt's death in the Iraq War.