# Attorney General’s Nazi comparison sparks debate over UK’s future with European Court of Human Rights



In a strikingly provocative lecture last week, Richard Hermer, the Attorney General for England and Wales, elicited significant controversy by invoking historical parallels between contemporary legal debates and the politics of 1930s Germany. During his talk, he articulated concerns regarding proposals from prominent political figures, notably Kemi Badenoch and Nigel Farage, to disengage from the European Court of Human Rights (ECHR). Hermer argued that such views echo the early "realist" jurists of Germany, particularly Carl Schmitt, whose stance that state power should supersede international law was emblematic of a dangerous departure from established legal principles.

Hermer's comments drew immediate backlash, with various sources close to him hurriedly clarifying that he was not directly equating current political figures with Nazis. They noted that while Hermer denounced the “pick and mix” approach to international law, he also referred to supporters of such changes as “patriots acting in good faith.” Nevertheless, the fallout from his remarks has demonstrated the delicate balance that public figures must navigate when drawing historical comparisons, especially ones as charged as those involving Nazi Germany.

The specificity of Hermer's critique is noteworthy not just for its historical context, but for its relevance in today’s political climate. He posited that the challenges to international law present a significant risk to the UK, potentially leading to a weakened position in the global arena. The attorney general’s comments resonate amid a growing sentiment among European leaders advocating for reforms to the ECHR, suggesting a broader trend questioning the efficacy of the current legal framework. Recently, nine European Union leaders—including Italy's Giorgia Meloni and Denmark's Mette Frederiksen—expressed their concerns in an open letter, arguing that the ECHR has sometimes constrained political sovereignty, particularly regarding issues of national security and deportation policies.

This burgeoning dialogue on human rights law reform is underscored by ongoing discussions in the UK about recalibrating its relationship with the ECHR. Figures like Badenoch and Farage maintain that withdrawing from the court may be necessary to preserve British interests, a stance echoed by Prime Minister Rishi Sunak. This perspective frames withdrawal not merely as a fallback option but as an imperative if systemic reforms are not achieved.

However, Hermer’s controversial remarks highlight the inherent risks associated with such comparisons. Not only does invoking the spectre of 1930s Germany prompt defensiveness among those in power, but it also complicates the dialogue surrounding the legitimacy and practicalities of reforming international law. The use of such historical analogies can divert attention from the substantive issues at stake, muddying political discourse. Jack Straw, a former Labour home secretary, recently questioned the value of the UK remaining bound by the ECHR, suggesting that British courts could enforce the relevant rights adequately without European oversight.

Nevertheless, despite their tactical merits, calls for reform could be undermined if entangled in hyperbolic rhetoric, as demonstrated by Hermer’s misstep. The political and legal landscape surrounding human rights in the UK is undoubtedly evolving, yet the framing of these debates must remain grounded to avoid alienating constituents concerned with past atrocities. The capacity for open dialogue, devoid of incendiary comparisons, may be the very key needed to navigate the complexities of reforming human rights jurisprudence effectively.

The stakes are undeniably high, not just for the immediate political players but for the broader understanding of law in democratic societies. The need for constructive engagement with international law stands in stark contrast to the direction hinted at in Hermer's remarks, reminding us all of the imperative to learn from history while avoiding the traps of parochialism and extremism. The recent mishap serves as a poignant reminder that the legacies of the past must inspire caution and thoughtful dialogue, not hyperbole.

## Reference Map:

* Paragraph 1 – [[1]](https://www.independent.co.uk/voices/lord-richard-hermer-attorney-general-nazi-germany-farage-badenoch-b2760699.html), [[5]](https://www.independent.co.uk/voices/lord-richard-hermer-attorney-general-nazi-germany-farage-badenoch-b2760699.html)
* Paragraph 2 – [[6]](https://www.theguardian.com/politics/2025/may/30/attorney-general-apologises-for-nazi-comparison-in-lecture), [[4]](https://www.theguardian.com/politics/2025/may/29/attorney-general-criticises-calls-to-leave-european-human-rights-court)
* Paragraph 3 – [[3]](https://en.wikipedia.org/wiki/Richard_Hermer%2C_Baron_Hermer), [[4]](https://www.theguardian.com/politics/2025/may/29/attorney-general-criticises-calls-to-leave-european-human-rights-court)
* Paragraph 4 – [[4]](https://www.theguardian.com/politics/2025/may/29/attorney-general-criticises-calls-to-leave-european-human-rights-court), [[6]](https://www.theguardian.com/politics/2025/may/30/attorney-general-apologises-for-nazi-comparison-in-lecture)
* Paragraph 5 – [[1]](https://www.independent.co.uk/voices/lord-richard-hermer-attorney-general-nazi-germany-farage-badenoch-b2760699.html), [[7]](https://www.theguardian.com/politics/2025/may/30/attorney-general-apologises-for-nazi-comparison-in-lecture)

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## Bibliography

1. <https://www.independent.co.uk/voices/lord-richard-hermer-attorney-general-nazi-germany-farage-badenoch-b2760699.html> - Please view link - unable to able to access data
2. <https://en.wikipedia.org/wiki/Godwin%27s_law> - Godwin's Law is an internet adage asserting that as an online discussion grows longer, the probability of a comparison involving Nazis or Hitler approaches one. It was introduced by Mike Godwin in 1990 to address the ubiquity of such comparisons, which he believes trivialize the Holocaust. The law has been applied to various online discussions, including forums, chat rooms, and social media. In 2012, it was added to the Oxford English Dictionary. Godwin has criticized the over-application of the adage, claiming it does not articulate a fallacy but is intended to reduce inappropriate and hyperbolic comparisons.
3. <https://en.wikipedia.org/wiki/Richard_Hermer%2C_Baron_Hermer> - Richard Hermer, Baron Hermer, 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 in 1968, he studied politics and modern history at the University of Manchester before pursuing a legal career. He joined Doughty Street Chambers in 1993 and took silk in 2009. Hermer has worked on numerous Supreme Court cases and represented clients in high-profile human rights cases. He was appointed Attorney General in 2024 and has been involved in various legal and political controversies since then.
4. <https://www.theguardian.com/politics/2025/may/29/attorney-general-criticises-calls-to-leave-european-human-rights-court> - In a recent lecture, Attorney General Richard Hermer criticised calls to leave the European Court of Human Rights (ECHR), stating that such a move would be detrimental to the UK's international standing. He argued that abandoning the ECHR would lead to a 'pick-and-mix' approach to international law, which could make the UK less secure and prosperous. Hermer's comments were seen as a rebuke to figures like Kemi Badenoch and Nigel Farage, who have advocated for disengaging from the ECHR to protect British interests.
5. <https://www.independent.co.uk/voices/lord-richard-hermer-attorney-general-nazi-germany-farage-badenoch-b2760699.html> - In a recent lecture, Attorney General Richard Hermer compared calls to leave the European Court of Human Rights to arguments made by 'realist' jurists in 1930s Germany, notably Carl Schmitt, who believed that state power superseded international law. Hermer criticised figures like Kemi Badenoch and Nigel Farage for advocating a 'pick-and-mix' approach to international law, suggesting it echoed the early 1930s German legal philosophy. His comments sparked controversy, with some interpreting them as a comparison to Nazi-era policies.
6. <https://www.theguardian.com/politics/2025/may/30/attorney-general-apologises-for-nazi-comparison-in-lecture> - Attorney General Richard Hermer has apologised for comparing calls to leave the European Court of Human Rights to arguments made by 'realist' jurists in 1930s Germany, notably Carl Schmitt. Hermer's comments, made during a recent lecture, drew criticism for invoking Nazi-era comparisons. He clarified that he was not likening Kemi Badenoch or Nigel Farage to Nazis but was highlighting the dangers of abandoning international law in favour of raw power. The apology aims to address the backlash over the controversial remarks.
7. <https://www.theguardian.com/politics/2025/may/30/attorney-general-apologises-for-nazi-comparison-in-lecture> - Attorney General Richard Hermer has apologised for comparing calls to leave the European Court of Human Rights to arguments made by 'realist' jurists in 1930s Germany, notably Carl Schmitt. Hermer's comments, made during a recent lecture, drew criticism for invoking Nazi-era comparisons. He clarified that he was not likening Kemi Badenoch or Nigel Farage to Nazis but was highlighting the dangers of abandoning international law in favour of raw power. The apology aims to address the backlash over the controversial remarks.