# Attorney General’s Nazi-era comparison intensifies Conservative rift over ECHR



Richard Hermer, the Attorney General for England and Wales, has sparked controversy with his remarks made during a recent lecture at the Royal United Services Institute. His comments sharply criticized the current Conservative leadership's approach to international law, particularly concerning the European Convention on Human Rights (ECHR). Drawing an unexpected and inflammatory parallel to Nazi Germany’s legal justifications, he invoked the jurist Carl Schmitt, whose support for Hitler's regime raised eyebrows and invited significant backlash, not just for the historical weight of his reference but for its immediate political ramifications.

Hermer made it clear that he believes any effort to undermine international treaties would jeopardize Western strength and potentially encourage authoritarian regimes, such as Putin’s Russia. He strongly condemned calls from Conservative figures like Kemi Badenoch, who advocates for a review or withdrawal from the ECHR, framing her stance as reckless and naïve. This perspective seems disconnected from the reality that many UK citizens crave a more robust stance on sovereignty and immigration control, views that resonate deeply with growing populist sentiments across the nation.

The current political landscape is far from united. The Conservative Party is fraught with internal divisions over the ECHR, with factions arguing for withdrawal as a strategy to reclaim control over immigration policies. In a recent televised debate, Badenoch clashed with leadership rival Robert Jenrick, who pushed for a decisive break from the ECHR. While Badenoch presented a softer approach to international engagement, Jenrick’s position appealed directly to voter concerns about immigration, highlighting the fracture within the party as it grapples with public sentiment and the essence of Conservative principles.

Hermer's statements carry weight that transcends mere political commentary. His influential role as chief legal advisor puts him at the crux of ongoing evaluations of human rights law just as demands for reform intensify. Recent correspondence from leaders across Europe, including Italy and Denmark, has expressed urgent concerns about the ECHR, indicating a growing belief that its application undermines national sovereignty and political autonomy. This tumultuous debate is not confined to the UK; it reverberates through the broader European landscape, further complicating the government's response.

Figures like Kemi Badenoch align themselves with the narrative of regaining sovereignty through a potential withdrawal from the ECHR, viewing the current legal framework as a hindrance to necessary immigration reforms. Her statements suggest a last-resort position rather than a fundamental shift, yet the context of Hermer's ill-timed comments looms large, complicating her efforts to project a coherent party message amidst burgeoning dissent.

Ultimately, this situation exposes the fragile balance between legal integrity and political maneuvering. Hermer's historically charged remarks have ignited a debate that threatens to overshadow more pressing discussions about the need for meaningful reform to human rights law. The government stands at a crucial crossroad; it must come to grips with the rising populist demand for change while attempting to uphold the values and frameworks central to international legal agreements.

This ongoing conundrum calls for meticulous navigation, as the consequences of provocative comparisons and the demand for reform continue to unfold in a landscape already marked by deep divisions. The future of the UK’s relationship with international law will depend on more than just political posturing; it will require a commitment to substantive, thoughtful dialogue devoid of sensationalism in the pursuit of genuine reform.

Source: [Noah Wire Services](https://www.noahwire.com)

## 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://www.ft.com/content/929a6597-28ab-4b44-bee3-b906c34e9e57> - In a recent lecture at the Royal United Services Institute, Attorney-General Richard Hermer criticised Conservative leader Kemi Badenoch's suggestion to leave the European Convention on Human Rights (ECHR). He argued that abandoning international treaties would weaken the West and embolden adversaries like Russian President Vladimir Putin. Hermer emphasised the importance of adhering to international law and advocated for reforming international agreements rather than withdrawing from them. He rejected Badenoch’s call to review all UK international agreements as dangerous and naive, stating it conflates law with politics. Supported by Prime Minister Keir Starmer, Hermer maintains that international law is essential for maintaining state sovereignty. Despite Conservative criticism of Article 8 for complicating deportations, Hermer supports the ECHR and sees potential in reform, not withdrawal.
3. <https://www.ft.com/content/46113f1a-8d52-4de7-8fe6-aee00b0e5fb4> - During the first televised hustings hosted by GB News, Conservative leadership contenders Kemi Badenoch and Robert Jenrick clashed over the UK's relationship with the European Convention on Human Rights (ECHR). Badenoch criticised Jenrick's proposal to withdraw from the ECHR, describing it as divisive and likely to fuel party infighting. She advocated for a measured approach to policy-making based on Conservative principles, highlighting policies such as banning social media for children and reversing VAT on private school fees. Jenrick emphasised immigration control, pledging to cap legal net migration and exit the ECHR, addressing voter trust concerns which he attributed to the Conservatives' poor election results. Amidst criticism from senior Tories, Badenoch attempted to position herself as a unifying 'engineer' for the UK's issues, while Jenrick argued for policy significance. Analysis showed Badenoch gaining support in London and the South, and Jenrick in the North and Midlands.
4. [https://en.wikipedia.org/wiki/Richard\_Hermer,\_Baron\_Hermer](https://en.wikipedia.org/wiki/Richard_Hermer%2C_Baron_Hermer) - Richard Simon Hermer, Baron Hermer, born in 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. Raised in Wales to a Jewish family, he attended Cardiff High School and studied politics and modern history at the University of Manchester. Called to the bar in 1993, Hermer joined Doughty Street Chambers and took silk in 2009. He later joined Matrix Chambers, becoming Chair of its Management Committee. Hermer has worked on numerous Supreme Court cases, including Lungowe v Vedanta Resources plc and Okpabi v Royal Dutch Shell plc. He represented former Guantánamo Bay detainee Abu Zubaydah in a Supreme Court case against the Foreign, Commonwealth and Development Office and argued against the deportation of al-Qaeda operative Abid Naseer. In 2023, he represented former Sinn Féin President Gerry Adams following damage claims brought against Adams. Hermer has also advised Caribbean nations on slavery reparations and represented Kenyan victims of torture during the Mau Mau emergency. A friend and former colleague of Keir Starmer at Doughty Street Chambers, Hermer was appointed Attorney General for England and Wales and Advocate General for Northern Ireland after Starmer became Prime Minister in 2024. He is the first person to have not served in Parliament before becoming Attorney General in over a century. During his tenure, the government removed its opposition to the International Criminal Court's arrest warrant for Benjamin Netanyahu and Yoav Gallant, oversaw the prosecution of individuals involved in the 2024 riots, and agreed to cede sovereignty of the Chagos Islands to Mauritius. Hermer has strengthened official guidance on legal risk and rejected calls to review the sentence of Southport murderer Axel Rudakubana. He has faced criticism for alleged intervention over the security of singer Taylor Swift during The Eras Tour and for alleged conflicts of interest from his past legal career while serving as Attorney General.
5. <https://www.lawgazette.co.uk/news/badenoch-threatens-to-disengage-from-echr/5122460.article> - In a speech to thinktank Policy Exchange, Conservative leader Kemi Badenoch suggested that the UK might disengage from international bodies like the European Court of Human Rights (ECHR) if they no longer support British interests. She criticised the 'naive' trust in institutions such as the International Criminal Court, stating that international law should not become a tool for NGOs and other critics to advance an activist political agenda through international bodies and domestic courts. Badenoch argued that if international bodies are taken over by activists or autocratic regimes like China or Russia, the UK must use its influence to stop them, and if that fails, disengage.
6. <https://www.kemibadenoch.org.uk/news/kemi-badenoch-interview-we-cant-pretend-integration-working-fine> - In an interview, Conservative leader Kemi Badenoch discussed the UK's relationship with the European Convention on Human Rights (ECHR). She stated that leaving the ECHR is not in itself the solution to immigration issues, as it only impacts illegal immigration. Badenoch mentioned that she would consider leaving the ECHR as a last resort but noted that other countries in the ECHR do not face the same deportation challenges as the UK. She also highlighted her refusal to sign a free trade agreement with India due to concerns over proposed migration levels and emphasised the need to train the domestic workforce to address immigration challenges.
7. <https://www.gbnews.com/politics/kemi-badenoch-declares-party-reviewing-policy-leaving-echr> - Conservative Party leader Kemi Badenoch acknowledged that her party is 'already' reviewing its policy on leaving the European Convention on Human Rights (ECHR). She emphasised the importance of building 'solid foundations' rather than seeking quick popularity and stated that policies, including leaving the ECHR and scrapping the Human Rights Act, are under review. Badenoch drew parallels with Britain's exit from the European Union to illustrate her point, suggesting that announcements are not plans and that thorough policy development is necessary before making such decisions.