Commemoration and liberation ceremonies 2024

"Law and Justice in National Socialism"

Justice is a moral and ethical concept referring to the fair and decent treatment of persons and groups. It entails the equal treatment of all before the law as well as the principle of no favouritism and no discrimination, regardless of origin, status, or characteristics.

Striving for justice is the foundation of a democratic society. During the Nazi era, the legal system was systematically abused. The aim was to suppress the power of state and the individual freedom and rights of its citizens. The NS period was not just a time in which the legal system was altered, but it was also a time of blatant violation of justice.

The Nazis created a new legal system that reflected their ideology. Laws were passed and implemented so that they would be in line with racist and inhuman objectives. This enabled the persecution, expropriation, and murder of Jews, Romani people and other groups. The Nuremberg Laws serve as a harrowing example of how the law was perverted during the Nazi era, and how extreme injustice was revealed.

The judiciary was exploited: It served to persecute and oppress dissidents and - as the regime called them - "andersartig", meaning those of different race. A core instrument of this change was the coordination of the judicial machinery. The independence of the judiciary was quickly undermined. Judges and lawyers were ideologically coordinated to serve the objectives of the "Führer", Adolf Hitler. Loyal Nazis were placed in many high-ranking legal positions. At the same time, new courts were established to serve exclusively the judiciary terror and the realisation of the racist and delusional concept of the NSDAP - first and foremost the "Volksgerichtshof" (engl. "People's court"), but also the so-called "Hereditary Health Courts", which legitimised the mass murder of people with disabilities and mental illnesses. The courts ruled based on ideological provisions; constitutional principles fell by the wayside.

While the legal system continued to exist in this changed manner, there was hardly any justice in practice. Those who resisted the NS ideology and its crimes were arrested, tortured, and executed without a fair trial. The idea of justice was trampled on as the Nazis put their criminal goals above the well-being and the rights of human beings.

After the end of World War II, the victorious powers tried to reestablish justice on an international level. The Nuremberg Trials (1945 - 1949), during which those mainly responsible for the war crimes and the crimes against humanity were brought to justice, were a first step in the right direction. The founding of the United Nations (1945) and the Universal Declaration of Human Rights (1948) were further such steps.

The dark chapter of National Socialism shows that law doesn't always mean justice. To this day, justice can be abused by authoritarian regimes to legitimise injustice.

It is our responsibility to make sure that the law always serves a higher moral standard and that as a society, we actively stand up to injustices. Protecting our legal system by guaranteeing independent institutions is essential, so that justice serves all and so that human rights violations can be prevented.