

Ladies and gentlemen,

Exactly 75 years ago today, on 23 May 1949, Germany's constitution, the Basic Law, entered into force.

At the beginning of that text, in Article 1(1), there is a clear, strong statement:

**Human dignity shall be inviolable. To respect and protect it shall be the duty of all state authority.**

With those two sentences, the authors of the Basic Law – the 61 men and four women of the Parliamentary Council – described the reverse of the National Socialist dictatorship that had ruled Germany before.

That had been a regime under which people were but a means to an end. A totalitarian state that mercilessly persecuted political opponents and started a murderous war of aggression in Europe. A dictatorship which, in the name of a perverse, racist ideology, denied whole groups of people all their rights and finally their humanity, and which ultimately, in an act of unprecedented monstrosity, murdered more than six million people – the overwhelming majority of them Jews, but also Sinti, Roma, people with intellectual disabilities, political opponents and people who held dissenting views.

Never again would it be possible for such a dictatorship, such a dehumanising system, to arise in Germany – that was the stated aim of the Basic Law. And it is striking that the first thing described by that new constitution is not the organisation of the state, nor the parliament, the legislative process or the government. The Basic Law begins with human dignity, followed by an itinerary of basic rights.

Protecting the dignity of the individual is the primary responsibility of the state, its *raison d'être*. The state envisioned by the Basic Law exists for the sake of the human being – not the other way around.

It is hard to find a clearer way to describe the opposite of dictatorship, of the totalitarian system.

Human dignity is inherent to every person, regardless of sex, nationality, religion, colour or age. It does not need to be earned or acquired, and it cannot be lost; every human being has their inalienable dignity simply because they are a human being.

There is another aspect of this that I find important: human dignity and the basic rights which follow are rights which are directed against the state, which limit the power of the state vis-à-vis the individual. And those rights do not just exist on paper; they can be enforced in courts of law. A strong constitutional court protects not only the constitution but also every single person, each able to invoke and assert their basic rights.

Human dignity and the basic rights guaranteed in the Basic Law are therefore not just an abstract, woolly concept; they protect every individual in very real terms.

- For example, the Federal Constitutional Court has ruled that social security recipients, and asylum seekers too, are entitled to benefits which ensure a decent minimum standard of living. That means not only the person's physical survival but also their maintenance of interpersonal relations and a minimum level of participation in social, cultural and political life.
- No-one may be tortured.
- The most intimate, personal areas of an individual's life – such as their sexual life – have particular protection, both from state surveillance and from publications in the media.
- Everyone has the right to express their opinions freely and to assemble peacefully.

The idea of human dignity, philosophically underpinned by Enlightenment thought, including the writings of Immanuel Kant, was the child of many mothers and fathers in political terms. Starting with the revolutions of the 18<sup>th</sup> century, people all over the world – in Europe, in North and South America, in Africa, in Asia – fought to turn it into a political reality from which everyone benefits. We in Germany, after losing two world wars, needed the benevolent support of the Western Allies – the United States, France and the United Kingdom – before our first stable democracy could establish

itself – initially only in the West of the country, the old Federal Republic of Germany, for the first forty years.

In 1949, the Basic Law was actually intended merely as an interim constitution. After all, it was initially established only in what were then the occupation zones of the Western Allies, and not in the Soviet occupation zone. There, under Soviet occupation, a Socialist system emerged, the German Democratic Republic, which subordinated the dignity and freedom of its citizens to the primacy of rule by the Socialist Unity Party of Germany.

But the collapse of Socialist systems in 1989 and 1990 ultimately included the GDR. At a propitious moment in history, the chance came for reunification – borne by the will of German people in the East and the West, without violence or coercion, democratically legitimate, a free decision.

In 1990, the question arose whether the reunified Germany should give itself a new constitution too. But the Basic Law had stood the test of time over two generations, and it had provided for the accession of the East German *Länder* from the start.

Germans have “achieved the unity and freedom of Germany in free self-determination”, its preamble now states, “This Basic Law thus applies to the entire German people.”

Today, we are celebrating 75 years of the Basic Law and 75 years of the Federal Republic of Germany. That is 75 years in which that law has guaranteed democracy, freedom, human rights and social justice; 75 years in which – thanks not least to European unification – Germans have been able to live not only in freedom but also in peace under the Basic Law.

Russia’s war of aggression in Ukraine has shown us all, if we were not aware before, that this is not to be taken for granted. We know that democracy, freedom and human rights continuously need us, actively and with personal commitment, to breathe life into and defend them – both within our state and against attacks from outside.

Together as individuals and in concert with our European and like-minded partners, we will resolutely advocate for the applicability of that principle all over the world: human dignity shall be inviolable.

Thank you.