Civil Rights in Germany

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In Germany, the civil rights are laid down as a part of the basic rights in the constitution since 1949. Other basic rights are the human rights. Contrary to the human rights, the civil rights are only guaranteed for German citizens. Examples for civil rights are the freedom of speech, the freedom of assembly and the freedom of association. Since Germany is a member of the European Union, the citizens have the citizenship of the European Union. That means they not only have civil rights in Germany but also on the European level. The civil rights are part of the Charter of Fundamental Rights. An example for the European civil rights is the right to move freely in all member states on the Union.

The civil rights in Germany were established in the Weimar Constitution 1919. During the Third Reich from 1933 to 1945 they were abrogated pretending to protect the people and the state. In fact this was one step for the abolishment of the constitutional state which led to the killing of millions of people. In 1949, the Federal Republic of Germany was constituted and a constitution was established which guarantees civil and human rights for everybody regardless of race, gender, religion, sexual orientation or age. Now the German government and society have an increased awareness of the awful events during the NS-time which helps to prevent a repetition in the future. Therefore they especially respect and watch out for the adherence of the civil and human rights.

The civil rights are ensured by the constitution and protected by the Federal Constitutional Court. When people in Germany feel impinged upon their rights they can go to a court. In a foreign country they can go to the consulate of their country. But many people don't even know their rights. Therefore the EU-Commission wants to inform the European citizens about their rights.

In the last few months the spying on conversations, social websites and technical devices by the NSA violated the civil rights of German people. The US government justified the spying with the desire for security but the Germans felt impinged upon their rights by a total observation and wanted the German government to conclude an agreement with the American government to ensure the end of the observation. Therefore both governments negotiated about a “No-spy-convention” to secure the civil rights but the negotiations have
Although males and females have the same rights there are still a few differences in their treatment. The most known difference is the lower payment of women compared to men. On average, women get 22 percent less money than men for the same work. Also it is more difficult for women to get jobs in higher positions and because of that there are fewer women employed in executive suits than men. Only 4.4 percent of the positions in the management are taken by women. To abolish that problem the German government is considering a so called “women quote” that should dictate a minimum quote of 30 percent women in supervisory boards.

The civil rights are guaranteed for all citizens, therefore also for minorities. There are special committees in the government dealing with questions related to the minorities and the protection of their rights.

An example for a minority in Germany are the Sinti and Romanies. The German government did not always pay attention to the problems of the Sinti and Romanies. They were not acknowledged as a national minority until 1988 after a civil rights movement fought for their rights. With the acknowledgment as a national minority, the government had obligations to secure the safety and the civil rights of the minority. During the Third Reich, about 500 thousand Sinti and Romanies, called “gypsies”, were killed. Although the killing of the Jewish people was considered as a genocide the killing of the Sinti and Romanies was not. In the 1970's, a civil rights movement fought for the acknowledgment of the killings as a genocide. Later the ambition of the movement was the implementation of the designation “Sinti and Romanies” instead of “gypsies”. With the new official name they wanted to prevent the discrimination and the social exclusion that comes with the name “gypsy”.

After all the civil rights have a high reputation in Germany. They apply for everybody and everyone has the chance to persist on the civil rights. Even if somebody wants to file a suit for their rights and can’t afford a lawyer, the government supports him financially.

I think that in Germany the civil rights are established very well and everybody is equal before the law and the constitution. Although there is still discrimination in Germany it is not caused by the constitution or the lack of civil rights.