

List of German Courts

The court system in the Weimar Republic was similar to that in the *Kaiserreich* (the German Empire). It was based on the German Empire's *Gerichtsverfassungsgesetz* (Courts Constitution Act) of 1870. The court of first instance was the *Amtsgericht*, next was the *Landgericht*, followed by the *Oberlandesgericht*. The highest German court dealing with criminal and civil cases was the *Reichsgericht*. The basic structure of the courts (including their personnel) was left unchanged after the democratic revolution of 1918/19 leading to the Weimar Republic. However, some new courts for specific areas of the law were added to the system (e.g., labor courts and finance and revenue courts). A new *Staatsgerichtshof* (as part of the *Reichsgericht*) which dealt with cases between various state entities was established in 1921. Hitler's government also kept the system in place, as well as most of the personnel, of course with the exception of Jews and leftists. It added new courts, for instance *Erbgesundheitsgerichte*, *Militärgerichte*, and *Sondergerichte* such as the *Volksgerichtshof*, all of which were abolished after 1945. The Federal Republic of Germany established the first constitutional courts in German history, both at the level of the *Länder* and at the national level.

The following list includes only the courts in the Weimar Republic, the Third Reich, and the Federal Republic of Germany mentioned in this book.

Amtsgericht: Court of first instance for criminal and civil cases.

Arbeitsgericht: Labor court.

Bundesgerichtshof: Federal Court of Justice, highest court of criminal and civil jurisdiction, established in 1950 and domiciled in Karlsruhe.

Bundesverfassungsgericht: Constitutional Court of the Federal Republic of Germany, established in 1951 and domiciled in Karlsruhe.

Erbgesundheitsgericht: Literally "hereditary health courts" and also known as genetic health courts or sterilization courts, these courts were established on 1 January 1934 on the basis of the *Gesetz zur Verhütung erbkranken Nachwuchses* (Law for the Prevention of

Hereditarily Diseased Offspring) of 14 July 1933, also known as the sterilization law. A tool for implementing the Nazis' *Rassepolitik*, these courts ordered compulsory sterilizations of mentally and physically disabled persons, patients of psychiatric hospitals and nursing homes, alcoholics, and others considered undesirable, including political opponents.

Kammergericht: The name of the *Oberlandesgericht* in the state of Prussia (historically) and the *Land Berlin* (today).

Landgericht: Court of first or second instance (depending on the subject matter of the case) for criminal and civil cases.

Militärgerichte: Military courts, established in May 1933.

Oberlandesgericht: Court of second or third instance (depending on the subject matter of the case) for criminal and civil cases.

Reichsarbeitsgericht: Founded in 1926 and domiciled in Leipzig, the *Reichsarbeitsgericht* was the highest labor court of appeals.

Reichsfinanzhof: Founded in 1918 to handle tax law and domiciled in Munich.

Reichsgericht: Established in 1879 and domiciled in Leipzig, the *Reichsgericht* was the highest court of appeals in criminal and civil law in the German Reich up until 1945.

Sondergerichte were special courts in the Third Reich for political and particularly serious crimes, feared for their swift and severe rulings that could not be appealed.

Staatsgerichtshof: Founded in 1921 and domiciled in Leipzig, the *Staatsgerichtshof* decided on cases between the *Länder* and the Reich as well as those delineating the competencies of the President of the Reich. It was not a permanent court but was convened as needed. The President of the *Reichsgericht* also served as President of the *Staatsgerichtshof*.

Staatsgerichtshof of the *Land Hesse*: The constitutional court of the *Land Hesse*, established in 1948.

Verwaltungsgericht: Administrative court. Even though Article 107 of the Weimar Constitution provided for a national administrative court, administrative courts existed only on the level of the *Länder*. The *Bundesverwaltungsgericht* (Federal Administrative Court) of the Federal Republic of Germany was established in 1952.

Volksgerichtshof: Dissatisfied with the rulings of the *Reichsgericht* on high treason, Hitler ordered the establishment of the *Volksgerichtshof* in Berlin in April 1934 as a special national court for cases concerning high treason and later, during World War II, also sub-

version of the war effort. The court worked as a commission that was appointed ad hoc by Hitler and was composed of two professional judges and a majority of laymen who had already proven their trustworthiness to the Nazi regime. Its decisions could not be contested. The court served as an instrument of terror used by the Nazi regime against political opponents and passed more than 5,200 death sentences.

