

# As I recall, Germany did not ratify the United States Constitution

 [devblogs.microsoft.com/oldnewthing/20060829-22](http://devblogs.microsoft.com/oldnewthing/20060829-22)

August 29, 2006



Raymond Chen

I remember reading a news report on a court case wherein the defendant claimed protection under the First Amendment of the United States Constitution. An interesting angle, especially since the case was being tried in Germany under German law. I may be wrong, but it is my impression that Germany did not ratify the United States Constitution. There's actually a point to this anecdote. Occasionally, when someone notes that Windows doesn't do one thing or another thing for legal reasons, people will post comments saying something like, "Well, a German court ruled that XYZ is legal, so your reason is bogus." Or, "The case of P vs. Q established that XYZ does not apply, so that concern is irrelevant." Or more subtly, "It has been determined that DEF is allowed." (Whose courts? Whose constitution? Is allowed where?)

You may not realize it, but Microsoft sells software throughout the world, and different parts of the world have different laws. What is legal in one country may not be legal in another, and Windows needs to conform to the intersection of all those laws. (On rare occasions, it will change its behavior based on what country you're in if that country's laws are significantly at odds with those of the rest of the world.) Claiming protection under the United States Constitution or citing a U.S. court decision doesn't carry much weight in front of a German judge.

Raymond Chen

**Follow**

