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SPECIAL INTEREST

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GERMAN LAWYERS  
1878—1933

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KENNETH F. LEDFORD

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# From General Estate To Special Interest German Lawyers 1878 1933

**Barnet Hartston**



## **From General Estate To Special Interest German Lawyers 1878 1933:**

**From General Estate to Special Interest** Kenneth Floyd Ledford, 2006      **The Making of a German Constitution** Margaret Barber Crosby, 2008-03-15 It is impossible to comprehend the political development of the United States England or France without considering the US Constitution English common law or the Code Napoleon respectively Why then has legalism been neglected in the study of German politics Drawing on constitutional and legal history this book reconsiders the creation of the German state and the nature of the bourgeois revolution The author reviews the critical time period of 1814 1930 to demonstrate the links between the legal code and political evolution She argues that German liberals perceived that the ends of revolution could be achieved legislatively thus Germany was able to attain a modern political and social system while avoiding or at least delaying violent movements This book provides a republican synthesis of German political development through time      **The Trial of Gustav Graef** Barnet Hartston, 2017-11-15 Although largely forgotten now the 1885 trial of German artist Gustav Graef was a seminal event for those who observed it Graef a celebrated sixty four year old portraitist was accused of perjury and sexual impropriety with underage models On trial alongside him was one of his former models the twenty one year old Bertha Rother who quickly became a central figure in the affair As the case was being heard images of Rother including photographic reproductions of Graef s nude paintings of her began to flood the art shops and bookstores of Berlin and spread across Europe Spurred by this trade in images and by sensational coverage in the press this former prostitute was transformed into an international sex symbol and a target of both public lust and scorn Passionate discussions of the case echoed in the press for months and the episode lasted in public memory for far longer The Graef trial however was much more than a salacious story that served as public entertainment The case inspired fierce political debates long after a verdict was delivered including disputes about obscenity laws the moral degeneracy of modern art and artists the alleged pernicious effects of Jewish influence legal restrictions on prostitution the causes of urban criminality the impact of sensationalized press coverage and the requirements of bourgeois masculine honor Above all the case unleashed withering public criticism of a criminal justice system that many Germans agreed had become entirely dysfunctional The story of the Graef trial offers a unique perspective on a German Empire that was at the height of its power yet riven with deep political social and cultural divisions This compelling study will appeal to historians and students of modern German and European history as well as those interested in obscenity law and class and gender relations in nineteenth century Europe      *Beyond the Barricades* Anna Ross, 2018-12-20 *Beyond the Barricades* is an original study of government after the 1848 revolutions It focuses on the state of Prussia where a number of conservative ministers sought to learn lessons from their experiences of upheaval and introduce a wave of reform in the 1850s Using extensive archival research the work explores Prussia s entry into the constitutional age charting initiatives to transform criminal justice agriculture industry communications urban life and the press Reform strengthened contact with the Prussian population making this a classic episode of state building but

Beyond the Barricades seeks to go further. It makes a case for taking notice of government activity at this particular juncture because the measures endorsed by conservative statesmen in the 1850s sought to remove the feudal intermediaries that had lingered long into the nineteenth century and replace them with an array of government institutions, legal regimes and official practices. In sum, this book recasts the post-revolutionary decade as a period which saw the transition from an old to a new world pivotal to the making of modern Prussia and ultimately modern Germany.

**Inventing the Criminal** Richard F. Wetzell, 2003-06-19 Recent years have witnessed a resurgence of biological research into the causes of crime, but the origins of this kind of research date back to the late nineteenth century. Here Richard Wetzell presents the first history of German criminology from Imperial Germany through the Weimar Republic to the end of the Third Reich, a period that provided a unique test case for the perils associated with biological explanations of crime. Drawing on a wealth of primary sources from criminological, legal and psychiatric literature, Wetzell shows that German biomedical research on crime predominated over sociological research and thus contributed to the rise of the eugenics movement and the eventual targeting of criminals for eugenic measures by the Nazi regime. However, he also demonstrates that the development of German criminology was characterized by a constant tension between the criminologists' hereditarian biases and an increasing methodological sophistication that prevented many of them from endorsing the crude genetic determinism and racism that characterized so much of Hitler's regime. As a result, proposals for the sterilization of criminals remained highly controversial during the Nazi years, suggesting that Nazi biological politics left more room for contention than has often been assumed.

**The Remnants of the Rechtsstaat** Jens Meierhenrich, 2018-02-22 This book is an intellectual history of Ernst Fraenkel's *The Dual State* (1941, reissued 2017), one of the most erudite books on the theory of dictatorship ever written. Fraenkel's was the first comprehensive analysis of the rise and nature of Nazism, and the only such analysis written from within Hitler's Germany. His sophisticated, not to mention courageous, analysis amounted to an ethnography of Nazi law. As a result of its clandestine origins, *The Dual State* has been hailed as the ultimate piece of intellectual resistance to the Nazi regime. In this book, Jens Meierhenrich revives Fraenkel's innovative concept of the dual state, restoring it to its rightful place in the annals of public law scholarship. Blending insights from legal theory and legal history, he tells, in an accessible manner, the remarkable gestation of Fraenkel's ethnography of law from inside the belly of the behemoth. In addition to questioning the conventional wisdom about the law of the Third Reich, Meierhenrich explores the legal origins of dictatorship elsewhere, then and now. The book sets the parameters for a theory of the authoritarian rule of law, a cutting-edge topic in law and society scholarship with immediate policy implications.

**Banned in Berlin** Gary D. Stark, 2012 Imperial Germany's governing elite frequently sought to censor literature that threatened established political, social, religious and moral norms in the name of public peace, order and security. It claimed and exercised a prerogative to intervene in literary life that was broader than that of its Western neighbors, but still not broad enough to prevent the literary community from challenging and subverting many of the

social norms the state was most determined to defend This study is the first systematic analysis in any language of state censorship of literature and theater in imperial Germany 1871 1918 To assess the role that formal state controls played in German literary and political life during this period it examines the intent function contested legal basis institutions and everyday operations of literary censorship as well as its effectiveness and its impact on authors publishers and theater directors

**Women in Law and Lawmaking in Nineteenth and Twentieth-Century Europe** Eva

Schandevyl,2016-02-17 Exploring the relationship between gender and law in Europe from the nineteenth century to present this collection examines the recent feminisation of justice its historical beginnings and the impact of gendered constructions on jurisprudence It looks at what influenced the breakthrough of women in the judicial world and what gender factors determine the position of women at the various levels of the legal system Every chapter in this book addresses these issues either from the point of view of women s legal history or from that of gendered legal cultures With contributions from scholars with expertise in the major regions of Europe this book demonstrates a commitment to a methodological framework that is sensitive to the intersection of gender theory legal studies and public policy and that is based on historical methodologies As such the collection offers a valuable contribution both to women s history research and the wider development of European legal history

**Clinical Psychiatry in Imperial Germany** Eric J. Engstrom,2018-07-05

The psychiatric profession in Germany changed radically from the mid nineteenth century to the beginning of World War I In a book that demonstrates his extensive archival knowledge and an impressive command of the primary literature Eric J Engstrom investigates the history of university psychiatric clinics in Imperial Germany from 1867 to 1914 emphasizing the clinical practices and professional debates surrounding the development of these institutions and their impact on the course of German psychiatry The rise of university psychiatric clinics reflects Engstrom tells us a shift not only in asylum culture but also in the ways in which social political and economic issues deeply influenced the practice of psychiatry Equally convincing is Engstrom s argument that psychiatrists were responding to and working to shape the rapidly changing perceptions of madness in Imperial Germany In a series of case studies the book focuses on a number of important clinical spaces such as the laboratory the ward the lecture hall and the polyclinic Engstrom argues that within these spaces clinics developed their own disciplinary economies and that their emergence was inseparably intertwined with jurisdictional contests between competing scientific administrative didactic and sociopolitical agendas

*The Powers of Law* Mauricio

García-Villegas,2018-05-03 Garc a Villegas compares the scholarship on the relationship between law political power and society in the United States and France

**The Uses of Justice in Global Perspective, 1600-1900** Griet

Vermeesch,Manon van der Heijden,Jaco Zuijderduijn,2019-01-09 The Uses of Justice in Global Perspective 1600 1900 presents a new perspective on the uses of justice between 1600 and 1900 and confronts prevailing Eurocentric historiography in its examination of how people of this period made use of the law Between 1600 and 1900 the towns in

Western Europe the Kingdoms in Eastern Europe the Empires in Asia and the Colonial States in Asia and the Americas were all characterised by a plurality of legal orders resulting from interactions and negotiations between states institutions and people with different backgrounds Through exploring how justice is used within these different areas of the world this book offers a broad global perspective but it also adopts a fresh approach through shifting attention away from states and onto how ordinary people lived with and made use of this legal pluralism Containing a wealth of extensively contextualised case studies and contributing to debates on socio legal history processes of state formation from below access to justice and legal pluralism *The Uses of Justice in Global Perspective* 1600 1900 questions to what degree top down imposed formal institutions were used and how and to what degree bottom up crafted legal systems were crucial in allowing transactions to happen It is ideal for students and scholars of early modern justice crime and legal history **1996** Massimo Mastrogregori, 2014-02-21 Annually published since 1930 the *International bibliography of Historical Sciences IBOHS* is an international bibliography of the most important historical monographs and periodical articles published throughout the world which deal with history from the earliest to the most recent times The works are arranged systematically according to period region or historical discipline and within this classification alphabetically The bibliography contains a geographical index and indexes of persons and authors Public Law, Private Practice Darryl E. Flaherty, 2020-03-17 Long ignored by historians and repudiated in their time practitioners of private law opened the way toward Japan s legal modernity From the seventeenth to the turn of the twentieth century lawyers and their predecessors changed society in ways that first samurai and then the state could not During the Edo period 1600 1868 they worked from the shadows to bend the shogun s law to suit the market needs of merchants and the justice concerns of peasants Over the course of the nineteenth century legal practitioners changed law from a tool for rule into a new epistemology and laid the foundation for parliamentary politics during the Meiji era 1868 1912 This social and political history argues that legal modernity sprouted from indigenous roots and helped delineate a budding nation s public and private spheres Tracing the transition of law regimes from Edo to Meiji Darryl E Flaherty shows how the legal profession emerged as a force for change in modern Japan and highlights its lasting contributions in founding private universities political parties and a national association of lawyers that contributed to legal reform during the twentieth century **New Perspectives on European Women's Legal History** Sara L. Kimble, Marion Röwekamp, 2016-07-01 This book integrates women s history and legal studies within the broader context of modern European history in the late nineteenth and twentieth centuries Sixteen contributions from fourteen countries explore the ways in which the law contributes to the social construction of gender They analyze questions of family law and international law and highlight the politics of gender in the legal professions in a variety of historical social and national settings including Eastern Southern Western Northern and Central Europe Focusing on different legal cultures they show us the similarities and differences in the ways the law has shaped the contours of women and men s lives in powerful ways They also show how women have used

legal knowledge to struggle for their equal rights on the national and transnational level The chapters address the interconnectedness of the history of feminism legislative reforms and women s citizenship and build a foundation for a comparative vision of women s legal history in modern Europe

**Sensationalizing the Jewish Question** Barnet Peretz Hartston,2005 This book examines a number of sensational trials involving anti Semitism in early Imperial Germany Press coverage of these court cases helped to spur public debates about the nature of Judaism and the role and influence of Jews in German society

*Redefining Codification* Dirk Heirbaut,2024-12-10 More than half of the world s population lives under law codes Yet defining the concept of codification remains elusive Rather than delving into abstract theories this book provides a rich and contextual comparative legal history of codes in France Germany the Netherlands and Belgium from the late eighteenth century to the present The author starts by examining the evolution of French German Dutch and Belgian codes in their political and comparative context thus challenging deeply rooted national narratives He covers the well studied civil codes and the often overlooked commercial and procedural codes and drafts that failed to become law Against this backdrop the book embarks on a comprehensive analysis of the factors contributing to the success or failure of codification efforts Employing an innovative method of comparative legal history *Redefining Codification* explores the key players and objectives behind codification revealing that traditional notions of codification are far removed from reality Following the deconstruction of some universal truths about codifications this volume offers fresh insights into the behind the scenes of the lawmaking machinery and an empirically based definition of codification

**Courtroom to Revolutionary Stage** Henning Grunwald,2012-09-27 What role did the courts play in the demise of Germany s first democracy and Hitler s rise to power *Courtroom to Revolutionary Stage* challenges the orthodox interpretation of Weimar political justice Henning Grunwald argues that an exclusive focus on reactionary judges and a preoccupation with number crunching verdicts has obscured precisely that aspect of trials most fascinating to contemporary observers their drama Drawing on untapped sources and material previously inaccessible in English Grunwald shows how an innovative group of party lawyers transformed dry legal proceedings into spectacular ideological clashes Supported by powerful party legal offices which have hitherto escaped scholarly notice almost entirely they developed a sophisticated repertoire of techniques at the intersection of criminal law politics and public relations Harnessing the emotional appeal of tens of thousands of trials Communists and emulating them National Socialists institutionalized party legal aid in order to build their ideological communities Defendants turned into martyrs trials into performances of ideological self sacrifice and the courtroom into revolutionary stage as one prominent party lawyer put it It is this political justice as revolutionary stage that most powerfully impacted Weimar political culture While it helps to explain Weimar s demise this argument about the theatricality of justice transcends interwar Germany Trials were compelling not because they offered instruction about the revolutionary struggle but because in a sense they were the revolutionary struggle The ideological struggle their message ran left no room for fairness no possibility of a neutral platform

justice was unattainable until the Republic was destroyed      **Conflict, Catastrophe and Continuity** Frank Biess, Mark Roseman, Hanna Schissler, 2007-07-01 Bringing together some of the most prominent contemporary historians of modern Germany alongside innovative newcomers to the field this volume offers new perspectives on key debates surrounding Germany's descent into and emergence from the Nazi catastrophe It explores the intersections between society economy and international policy with a particular interest in the relations between elites and the wider society and provides new insights into the complex continuities and discontinuities of modern German history This volume offers a rich selection of essays that contribute to our understanding of the road to war Nazism and the Holocaust as well as Germany's transformation after 1945

*The German Right, 1918-1930* Larry Eugene Jones, 2020-04-02 Analyzes the role of the non Nazi German Right in the destabilization and paralysis of Weimar democracy from 1918 to 1930      **The Holocaust's Ghost** F. C. DeCoste, Bernard Schwartz, 2000-05 Numerous scholars explore the moral aesthetic and political outcomes of the Holocaust from the perspectives of various academic backgrounds including art literature political science education and history



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