

## **Project description**

### **Trier lawyers of Jewish origin in the 19th and 20th centuries**

**(Prof. Dr. Franz Dorn / Prof. Dr. Hans-Friedrich Müller)**

In the Middle Ages and well into newer time, Jews were an excluded minority, living largely isolated from the rest of the population outside the Christian social order. It was not until emancipation in the 19th century that they were able to exercise legal professions, in which they were then very strongly represented - especially in the advocacy. This success story came to an abrupt end when the National Socialists came to power in 1933 and the disenfranchisement and persecution that immediately set in. Only a few survivors returned from the concentration camps or emigration after the end of the reign of terror to resume their legal work in Germany. They met colleagues, the vast majority of whom had come to terms with National Socialism, some of whom had even been involved in its crimes, and who showed no interest in honestly coming to terms with the past.

The aim of the project is to illustrate this eventful and in many respects tragic history by means of selected biographies. The authors would like to introduce the interested public to lawyers of Jewish origin who have a close connection to Trier because they were born and raised here or worked here professionally. At the same time, this is intended as a contribution to research into the history of the Jews in this city in the 19th and 20th centuries.

The study begins with **Heinrich Marx** (originally Heschel Levi), who is known to a wider audience primarily as the father of the philosopher Karl Marx. He was able to obtain admission as a lawyer still under French occupation in 1814. After Prussia took over, he was allowed to keep his position only because he was baptized a Christian. The decision to convert to Protestantism was very difficult for Heinrich Marx, who came from a family of rabbis; whether it corresponded to his inner convictions is doubtful. He enjoyed a high reputation and was head of the Trier Advocacy for several years. In 1831 he was appointed a judicial councilor. He wrote a number of articles on jurisprudential and legal policy issues of the time (such as the relationship between state and religion, usury, and the position of commercial courts), which are also of interest from today's perspective. In addition, the biography of Heinrich Marx gives reason to deal in general with the legal status of the Jews and their development from the end

of the Electorate through the French period to the conditions under Prussian rule in the first half of the 19th century.

The further emancipation of the Jews can be well illustrated by the life of the lawyer **Salomon Rothschild**, who was active in Trier from the mid-1860s. He became known primarily as a defender of Catholic clergy and believers during the so-called „Kulturkampf“. Thus, he played an important role in the criminal trial that followed the riot on the occasion of the arrest of a priest during mass in the Liebfrauenkirche (on the incident, see Zenz, Geschichte der Stadt Trier im 19. Jahrhundert 2, 1980, p. 78). The press reported in great detail on the committed plea that Rothschild made in favor of his client (Paulinus-Blatt für das deutsche Volk, Supplement to No. 9, February 28, 1875). The event shows that members and representatives of the Catholic Church trusted the Jewish lawyer across faith boundaries because of his professional competence and personal integrity. In 1891, Salomon Rothschild also received the honorable title of judicial councilor.

His son Paul Rothschild, born on 04.02.1867 in Trier, also studied law and became a lawyer in Berlin. In 1933 he lost his license to practice. He died after deportation on 29.03.1943 in Theresienstadt.

Like Paul Rothschild, **Prof. Dr. Hermann Isay**, who grew up in Trier, practiced law in the metropolis of Berlin. In addition to his professional activities as a lawyer and notary, he was known for numerous publications. We owe him in particular the „Trier wine auction case“. For generations, aspiring lawyers have been concerned with the question of whether a tourist who accidentally stumbles into a wine auction and waves to an acquaintance, which is interpreted by the auctioneer as the submission of a higher bid, makes an effective, albeit possibly contestable, declaration of intent. Hermann Isay brought this case into discussion in his book "Die Willenserklärung im Tatbestande des Rechtsgeschäfts" (available at <https://archive.org/details/20161025161014384>) in 1899. At the time of writing his book, he was a legal trainee in Trier and, as the son of the Trier merchant and wine merchant Adolf Isay, was well acquainted with local customs. In 1933, Hermann Isay was deprived of his notary's office, and he died in Berlin on March 21, 1938, after a serious illness.

His younger brother **Prof. Dr. Rudolf Isay** was born in Trier on 01.01.1886. In 1910 he joined his brother's law firm, interrupting this activity for four years as a war volunteer. In 1935 he emigrated to Rolandia/Brazil and built up a coffee plantation there. In 1951 he returned to

Germany and was appointed honorary professor at the University of Bonn. He died in Bonn in 1956.

**Dr. Ernst Isay**, born in Trier on 04. August 1880, cousin of Hermann and Rudolf Isay, made a successful career as a senior court judge and private lecturer, which ended abruptly in 1933. The National Socialists forced him out of his offices, although he had taken part in the First World War. In July 1940 he managed to emigrate to Sao Paulo/Brazil where he held a few lectures as a visiting professor. Because this activity was not enough to support himself, he remained dependent on the financial support of his children. He died impoverished in Sao Paulo/Brazil on 17.07.1943.

**Dr. Jakob Voremberg** opened a successful law practice in Trier in 1926. After being taken into "protective custody" for a short time at the end of March 1933, he was initially able to retain his license to practice law due to his participation in World War I as a so-called front-line fighter. However, as conditions in Germany became increasingly unbearable, he emigrated to Palestine in August 1938 with his wife Liselotte and son Gerd, but returned to Trier with his family soon after the war and resumed his legal practice. There he was primarily active in the field of restitution and compensation law, i.e. representing the interests of his surviving Jewish fellow citizens vis-à-vis the German authorities. In 1969 he was appointed a judicial councilor. From 1962 until his death in 1973 he was chairman of the Jewish community in Trier, and for several years he was also chairman of the state association of Jewish communities in Rhineland-Palatinate.

Unlike attorney Dr. Jakob Voremberg, the two judges of Jewish origin who worked in Trier in 1933 did not return after the end of the war.

The district court councilor **Dr. Paul Hugo Gieser** had lost his office soon after the National Socialists seized power. He then worked for the Palestine Office of the Jewish Agency in Frankfurt, where he advised emigrants on legal matters, but was himself unable to emigrate in time. On October 20, 1941, Gieser and his wife were deported to the Litzmannstadt (Lodz) ghetto, where they died 1942.

As a front-line soldier in the First World War, **Dr. Albert Baum**, a Trier district court councillor, could not be discharged at first, but from then on he was mainly employed in the administration. From the point of view of the National Socialists, he was not only unacceptable because of his Jewish faith, but also because he had been a member of the Republican Judges' Association during the Weimar period, incidentally as the only one of the Trier judges. After several

unsuccessful attempts to remove him from office, the "Reich Citizenship Law" of 1935 then provided the basis for his dismissal. During the pogroms in the so-called Reichskristallnacht in November 1938, an SA squad devastated his apartment. Baum was still able to emigrate with his family to the USA in 1941, where he had to live as a simple clerk. His economic situation only improved when compensation payments for the injustice done to him, were included in the 1950s.

Finally, **Dr. Hildegard Jacobi**, born Joseph, born in Trier on 27. December 1910, shall be remembered. After studying and earning her doctorate in Cologne, she was forced to emigrate to Great Britain in 1939 and later became a lecturer in international relations in London, where she died on 21 September 2006.