

Edmonds details the philosophical debates of the circle and the philosophers with whom they were connected. Also notable are his biographical portraits of circle members. Otto Neurath's life is fascinating and will be of great interest to readers. One of the few illustrations in the book, which is not a photograph, is of a Neurath isotype. Neurath pioneered the pictorial renditions of information to communicate with foreign-language speakers or the unschooled. In Europe and the Soviet Union, he established museums with pictorial renditions of economic, scientific, and historical information. Icons of men and women on bathroom doors have become so pervasive that we hardly think of their originator, Otto Neurath. Edmonds' story is not a "great man" history, as he includes for example Esther "Tess" Simpson who worked at the Academic Assistance Council in Britain, helping academic refugees, including a number from the Vienna Circle who had fled the Continent. (The end of the book provides biographical portraits and a chronology, useful in keeping philosophical, political, social, and other lines of the story clear.)

The Vienna Circle was upended, finally, by the murder of Professor Schlick, although if not by that, it would have been by something else in an increasingly Nazified Vienna. Hans Nelböck, criminally paranoid and blaming his failures on his former teacher Schlick, shot him and later used Nazi ideology (e.g., Schlick's philosophy was unpatriotic) as a defense, which got him out of jail in two years. Schlick was not in the first instance killed because of ideology, although the brutally contentious atmosphere of Vienna was the matrix for the murder. No member of the circle was killed by the Nazis, although some had a hard life in exile. They helped each other in various ways, intellectually and personally. Their philosophical profile has receded, because much like Neurath's isotypes, some of their main values of clear language and rigorous logic were pervasive in philosophy and intellectual work. The challenges they faced with growing authoritarianism, polarization, irrationality, racism, and violence are not gone from our world, and their efforts, successes, and failures are, still of intense interest.

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Empire of Law: Nazi Germany, Exile Scholars and the Battle for the Future of Europe

By Kaius Tuori. Cambridge: Cambridge University Press, 2020. Pp. 313. Cloth \$110.00. ISBN 978-1108483636.

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In the decades following the Second World War, the idea took root among West European jurists that Europeans shared a common legal heritage based on the legacy of Roman law. Where did this idea come from, and why did it find support among liberal and conservative intellectuals? Kaius Tuori provides an answer by examining the lives of five German-speaking scholars of Roman law who appealed to European legal unity in an age of cataclysms. Fritz Schulz and Fritz Pringsheim, persecuted on account of their Jewish family background, left Nazi Germany for exile in Britain, where they presided over a "veritable renaissance of Roman law" (268). Paul Koschaker remained in Nazi Germany and defended the relevance of Roman law during the Third Reich; after the Second World War, he argued that Roman law could serve as "a kind of relative natural law" for Europe (166). Franz Wieacker and Helmut Coing, who began their careers in Nazi Germany and

flourished in West German academia, portrayed the autonomy of Roman jurisprudence and its culture of freedom as core elements of European legal unity. These scholars played a crucial role in establishing the “invented tradition” (19) of a common European legal tradition. Tuori details their disparate struggles to salvage the meaning of Roman law and even-handedly assesses the personal culpability of intellectuals who participated in the academic institutions of the Third Reich.

What inspired these professors to write seminal books and articles arguing for the Roman roots of European private law? For one thing, scholarly self-identification with the tradition of Roman law served political and ideological ends. By valorizing the Roman tradition of liberty and legal equality, Schulz and Pringsheim could criticize the Nazi regime without openly antagonizing the authorities. By appealing to the liberal values and legal professionalism associated with the tradition of Roman law, Koschaker, Wieacker, and Coing gave voice to an emerging postwar, anti-totalitarian consensus that viewed Nazism and Marxism as comparable varieties of social radicalism. Finally, the notion of a shared European tradition, rooted in Roman law, found a receptive audience because ideas of European identity had become increasingly palatable to conservative intellectuals, especially in the final years of Hitler’s empire. As Tuori convincingly shows, historians of Roman law, alongside many of their contemporaries outside the discipline, were converging on the idea of European unity for strikingly dissimilar reasons.

Beside these ideological goals, more mundane, professional exigencies drove the effort to make Roman law appear relevant to contemporary legal practice. Proponents of the idea of European legal unity, especially those who remained in Nazi Germany, sought “self-preservation of [their] field of study” (169). The early Nazi Party associated Roman law with the rise of modern capitalism and enshrined the demand that “Roman law, which serves a materialistic world order, be replaced by a German common law” in the Party’s 1920 program. Once in power, the Nazi government eliminated Roman law from the required curriculum of legal education. Avowed Nazis who wished to continue researching Roman law found ways to practice their specialty without alienating the regime; some advanced their careers by focusing on early Roman jurisprudence (as opposed to its later, allegedly “Jewish-Oriental” period), or by seeking to build bridges to Italian Fascism’s cult of *Romanità*. For those of a traditional conservative persuasion, such as Koschaker and Wieacker, asserting the classical roots of European jurisprudence was a more intellectually dignified way of addressing the crisis of Roman law’s contemporary relevance.

Empire of Law offers an illuminating case study of midcentury intellectual history, illustrating how key features of the postwar West European intellectual consensus were replicated within the field of Roman legal history. Some of the book’s conclusions remain tentative, however, due to the absence of evidence that could attest to its protagonists’ motivations. Were Schulz’s and Pringsheim’s writings on Roman law really intended as coded criticisms of the Nazi regime? Did the experience of exile change their intellectual perspectives in concrete ways? Tuori concedes that we cannot be sure. The reader may also wonder to what extent these five historians of Roman law, despite being evident academic luminaries, exerted a direct impact on institutions or cultural movements outside of their field of specialization. Tuori frequently compares the tropes of their thought to those of intellectuals with wider cultural resonance, such as Hannah Arendt, Leo Strauss, Franz Neumann, and Jacques Maritain. That Roman legal history exhibited intellectual concerns shared by other midcentury humanities is not altogether surprising; more provocative would be the claim that historians of Roman law helped shape some of these broader cultural developments.

An intriguing question raised by *Empire of Law*, though not fully explored, is to what extent the Nazi regime permitted heterodox political and legal ideas to circulate, provided that they remained within acceptable bounds. The fact that scholars of Roman law were able to thrive despite an explicit rejection of Roman law in the Nazi Party’s program tells us something about the ideological flexibility of National Socialism. After the war, Koschaker

“compar[ed] the attitude of the Nazi regime to that of the church toward heretics. They were generally tolerated unless they began to gain followers” (155). The incubation of such heretics during the Third Reich and their successful efforts to gain followers in postwar West Germany constitute an important narrative of twentieth-century intellectual history, as Tuori’s stimulating book demonstrates.

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NS-“Rassenhygiene” im Raum Trier. Zwangssterilisationen und Patientenmorde im ehemaligen Regierungsbezirk Trier 1933-1945

By Matthias Klein. Vienna and Cologne: Böhlau Verlag, 2020. Pp. 394. Cloth €39.99. ISBN 978-3412516475.

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The historiography of sterilization and “euthanasia” in the Third Reich is now extensive, though somewhat fractured into local and narrowly tailored studies. One of the great benefits of Matthias Klein’s well-researched dissertation is how it weaves together material from a range of histories. The focus here is the mostly rural and majority-Catholic region of Trier, but the author carefully compares his findings with evidence from other regions and explores the relevance of his conclusions to broader historiographical questions. The result is a local history that will be useful to anyone interested in Nazi racial hygiene.

Recent histories have stressed the relative autonomy of regional authorities in implementing the sterilization program. This work adds to that picture. Across Trier, local health officers played the leading role in bringing cases before the hereditary health courts. Youth welfare officials, private physicians, and the directors of prisons and psychiatric institutions assisted in identifying candidates for sterilization. The courts themselves were staffed by local doctors and jurists, who were unabashedly self-assertive when they disagreed with petitioners (more than 20% of applications for sterilization were rejected) but clearly supported the racial hygienic goals of the regime. Over 2200 persons were ultimately sterilized in Trier, about one-half of 1% of the total regional population, consistent with national trends. (See also Michael Burleigh and Wolfgang Wippermann, *The Racial State* [1991].)

How did local officials in Trier reconcile their participation in the sterilization program with their Catholic faith? And how did Catholic institutions navigate their conflicting obligations to church and state? In a 1933 circular, the Trier Diocese called upon Catholic institutions to refuse any involvement in the sterilization program. Less than six months later, however, provincial bishops meeting in Cologne allowed that Catholics could, in good conscience, notify the medical authorities of individuals suspected of being hereditarily ill, though they must not petition for their sterilization before the hereditary health courts. This distinction between notifications (*Anzeige*) and petitions (*Anträge*) was intended to prevent Catholic functionaries from running afoul of the law which, starting in December 1933, obligated the reporting of potential candidates for sterilization. In practice, the church’s stance provided moral cover for those who were eager to assist in the sterilization program. The director of the Catholic mental hospital in Trier referred not only scores of