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Descriptive Summary

Identifier  ICU.SPCL.RHEINSTEIN
Title  Rheinstein, Max. Papers
Date  1869-1977
Size  51 linear feet (102 boxes)
Repository  Special Collections Research Center
            University of Chicago Library
            1100 East 57th Street
            Chicago, Illinois 60637 U.S.A.

Abstract  Max Rheinstein (1899-1977) Lawyer and Professor, University of Chicago. The Papers document Rheinstein’s career as a lawyer and teacher with expertise in international and comparative law, family law, and the conflict of laws. Included are personal and professional correspondence, writings, drafts of books, lectures, reviews, articles, subject files, course materials, student papers, biographical and family material, and memorabilia. Also includes material relating to the Foreign Law Program at the University of Chicago. Correspondents include Tullio Ascarelli, Reimer von Borries, Mauro Cappelletti, Roscoe Pound, and Hessel Yntema.

Information on Use

Access  No restrictions.

Citation  When quoting material from this collection, the preferred citation is: Rheinstein, Max. Papers, [Box #, Folder #], Special Collections Research Center, University of Chicago Library

Biographical Note  
Max Rheinstein was born in 1899 in Bad Kreuznach, Rhineland, but was brought up and educated in Munich, Bavaria. In World War I he served in an artillery regiment of the German army stationed on the Italian front after the collapse of the Austrian armies. After the war he attended the University of Munich where he received a doctorate of law in 1924. Two years later, he left Munich for Berlin to assume the position of researcher and librarian at the Kaiser Wilhelm Institute of Foreign and International Private Law. There he was recognized as an expert in the field and consulted by the government in matters of foreign law.
Rheinstein met Elizabeth (Lilly) Abele in Berlin where she was a librarian at the Institute. They were married in 1929, and their only child, John (nicknamed Hans or Bummel) was born in 1930.

In September 1933 Rheinstein came to the United States to study at Columbia University and Harvard Law School on a Rockefeller Foundation fellowship. Upon its completion in 1935 he chose to remain in America; his collection of newspaper clippings indicates that he had been closely following the political situation in Germany. Rheinstein’s first professional appointment in the United States was at the University of Chicago where he was a visiting professor of law in 1935. The following year he was appointed Max Pam assistant professor of comparative law; in 1942 he attained the rank of full professor.

In 1946 and 1947, Rheinstein joined the legal staff of the Office of Military Government of Germany, United States Sector (OMGUS); he advised the US military government on the reform of German law. Both officially and privately Rheinstein supported a policy of conciliatory reconstruction, lest zealous denazification should turn the German people against democracy and retard their economic recovery.

Rheinstein developed an international reputation as a legal expert in the areas of international and comparative law, family law, the conflict of laws, and the law of decedents’ estates. He was visiting professor at the universities of Puerto Rico (1943), Wisconsin (1945), Michigan (1948), Louisiana State (1949), Frankfurt (1953), Cambridge (1955), Tokyo (1961), and Brussels (1964). He held professorships at the International University of Comparative Studies in Luxembourg from 1958-1960 and the International Faculty of Comparative Law in Strasbourg from 1962 on. In 1962 he was also awarded an honorary professorship by the University of Freiburg.

At the University of Chicago Rheinstein was instrumental in the development of the Foreign Law Program, which trained American common lawyers in the two major systems of civil law, the German and the French (which is a derivative of the Napoleonic Code). After his retirement, Rheinstein remained active in the fields of comparative and family law. In 1972 he published Marriage Stability, Divorce and the Law at the University of Chicago Press. During the 1970s, he collaborated with a former student, Mary Ann Glendon, on two projects. The two were the American editors of the International Encyclopaedia of Comparative Law. He also helped edit Glendon’s book, State, Law and Family. Rheinstein died on July 9, 1977, while vacationing in Bad Gastein, Austria.

Scope Note
The papers of Max Rheinstein include personal and professional materials and are divided into six series

Series I: Biographical

The material in this section is primarily personal; it is comprised of four boxes of materials dating from the turn of the century to the late 1960s. It contains documents, student notebooks,
newspaper clippings, invitations and lecture announcements. There are notebooks from the elementary school and Gymnasium years which demonstrate the education typical of Germany at the turn of the century, as well as various materials dating from Rheinstein’s years in law school. This series also contains a miscellaneous collection of World War I and Weimar Republic documents, posters, and memorabilia.

Series II. Correspondence

This series consists of Rheinstein’s personal and professional correspondence with family, friends, and legal scholars in many countries. Among his correspondents are Judge Paul Alexander, Tullio Ascarelli, Stojan Bayitch, Reimar von Borries, Mauro Cappelletti, Hans Dölle, Hüseyin Nail Kubali, Jean Limpens, Roscoe Pound, Ernst Rabel, Manuel Rodriguez-Ramos, Felipe de Sola-Canizares, Hessel Yntema, and Konrad Zweigert. There is an extensive series of correspondence concerning the Foreign Law Program, which contains letters to prospective students and to faculty members concerning the aims of the program and its operation. There is also the correspondence between Rheinstein and various professional organizations such as the American Bar Association.

Series III. Writings

This series is subdivided into Lectures and Addresses, Articles and Reviews, and Monographs and Syllabi. All are arranged in alphabetical order; dates of publication or presentation are included where known. In general, the writings cover the entire range of Rheinstein’s interests with a particular emphasis on comparative law and marriage law. Since Rheinstein was keenly interested in international events, there are a large number of lectures, articles, and reviews on current events. Most of the lectures, regardless of subject, are in outline form or in rough draft rather than fully written out.

Series IV. Subject Files

The subject files are contained in Boxes 69 through 82:6 and consist of materials relating to legal consultations, the International Encyclopaedia of Comparative Law, Rheinstein’s involvement in the attempt to staff emerging African legal institutions with American and European scholars (S.A.I.L.E.R.), the UNESCO study on research in the social sciences, and the attempt in the 1950s to establish a Comparative Law Research Center at the University of Chicago.

Series V. Course Materials

This series is subdivided into pre-1933 courses which Rheinstein taught in Germany, arranged alphabetically by subject matter, post-1933 courses, and student papers. The course materials themselves include Rheinstein’s lecture notes, class handouts, and examination questions.

Series VI: Glendon, Mary Ann. State, Law, and Family (1977)

This series contains the manuscripts and notes which Rheinstein edited for Mary Ann Glendon’s State, Law and Family.


Related Resources
The following related resources are located in the Department of Special Collections:

http://www.lib.uchicago.edu/e/spcl/select.html

Subject Headings
• Ascarelli, Tullio, 1903-1959
• Borries, Reimer von
• Cappelletti, Mauro
• Pound, Roscoe, 1870-1964
• Rheinstein, Max, 1899-
• Yntema, Hessel E. (Hessel Edward), 1891-
• University of Chicago. Law School
• International law
• Comparative law
• Domestic relations
• Law teachers
• Law teachers - United States
• Lawyers

INVENTORY

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  Biographical information
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  "Rheinstein, Max," Who’s Who articles
Box 1
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  Bibliographies, partial
Box 1
Folder 4
  Max Rheinstein’s Writings: A Bibliography, typescript and bound copy
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Folder 5
  Miscellaneous family correspondence, wedding announcements, death announcements, 1869-1910
Box 1
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  Family wedding programs, newspaper clippings
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  Parents’ wedding contract; Correspondence between parents
Box 1
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  Elementary and Gymnasium grades, 1905-1917

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  Miscellaneous personal documents
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Case book on German property law

Box 3
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German private law, case study questions

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Professor Kisch, Grundriss zur Vorlesung über Zivilprozessrecht zweiten Teil, with MR’s notes interspersed

Box 3
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Class notebooks

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Allianz und Stuttgarter Verein, German stocks

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Universidad de Puerto Rico, visiting lecturer

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OMGUS (Office of the Military Government of Germany, United States Sector)

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German Youth Group

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