



## **Cornelia Bruns.** A well-deserved, albeit belated, tribute *Karin Oellers-Frahm*



*The 50th birthday of Marie and Viktor Bruns (17 February, 1935). Cornelia Bruns (third from left) and KWI employees perform a play at the Bruns' home<sup>1</sup>*

When celebrating the 100th anniversary of the Institute for Comparative Public Law and International Law, the focus is of course on the development of international law and comparative law. What is rarely questioned is the purely practical problems that scholars faced at that time in capturing the state of the developments. This is because international law, as the term clearly indicates, refers to inter-state legal relations and legal rules, which presupposes an exchange between scholars from the individual states in order to know the state of the law and the consensual approaches to its further development – one need only consider the emergence of customary law.

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<sup>1</sup> Photographer: Lore Feininger, Berlin: VI. Abt., Rep. 1, Nr. KWiauslöffRechtuVölkerrecht III/22, AMPG.





*Cornelia Bruns, photo taken around 1935 (VI. Abt., Rep. 1, Nr. KW IauslöffRechtuVölkerrecht III/29, AMPG)*

This sounds logical and self-evident, but it presented a hurdle that should not be underestimated: the language barrier. While today English can be considered the “language of international law” or of academia per se, 100 years ago this was completely different. Access to foreign-language literature was therefore problematic and there were hardly any translations into German, especially as German was considered a particularly difficult language. In addition, translations of specialist texts, such as academic papers on questions of international law or comparative legal analyses, not only require a comprehensive command of a foreign language, but also in-depth knowledge of the subject area being translated. This is because terms that at first glance do not pose any translation problems can actually have different meanings in legal terms.

Thus, for example, the term “acte administratif” in French law, which suggests the translation “Verwaltungsakt” (administrative act), may serve as an example. However, this translation would lead to major misunderstandings, as the “Verwaltungsakt” in German law is an act that concerns a specific individual or a specific group of addressees, i.e. an “Einzelverfügung” (individual decree), whereas the “acte administratif” in French refers to an “Allgemeinverfügung” (general decree). This makes it clear that specialist translations require not only language skills, but also specialist knowledge. However, linguistically gifted experts had (and have) little interest in translating the work of other scientists rather than producing their own publications; people with a thorough knowledge of foreign languages, however, usually lack the necessary specialist knowledge.

## „Tante Cörnchen“: Cornelia Bruns between family and institute

Against this backdrop, around 100 years ago, a person emerged who deserves the highest respect for her work, but who probably did not receive the appropriate recognition at the time: Cornelia Bruns, with her magnificent translation of two fundamental works of international law. The first is the translation of the influential and classic textbook on international law *Corso di diritto internazionale: Introduzione-Teorie generali* by Dionisio Anzilotti (1923), and the second is the translation of Sterling E. Edmunds’s controversial monograph critical of international law, *The Lawless Law of Nations* (1925).





First and foremost, this raises the following question: who was Cornelia Bruns? Born on February 10, 1888, she was a member of the highly renowned “Bruns family” of legal scholars, namely she was the granddaughter of Karl-Georg Eduard Bruns, the famous legal scholar and temporary rector of Berlin University. His brother, Victor Bruns, was the grandfather of Viktor Bruns, the founder of the Kaiser Wilhelm Institute for Comparative Public Law and International Law. Cornelia Bruns, who suffered from an increasing loss of hearing from an early age, which eventually led to complete deafness, passed her teacher’s examination in 1907 before residing in England for some time. From 1925 to 1949 she lived in Berlin, where she worked under the directorship of Viktor Bruns as a librarian at the Kaiser Wilhelm Institute for Comparative Public Law and International Law, a position which she then continued after the war under Carl Bilfinger at the Max Planck Institute for Comparative Public Law and International Law in Heidelberg. She died in Heidelberg on May 7, 1965.



*Cornelia Bruns (around 1935; VI. Abt., Rep. 1, Nr. KWiauslöffRechtuVölkerrecht III/27, AMPG)*

These are the few details that are known about Cornelia Bruns’ life. Beyond that, we only know that she was very closely involved in the Bruns family and was held in extremely high esteem by everyone; she is mentioned in several places in the diaries of Marie Bruns-Bode, the wife of Viktor Bruns, under her nickname “Tante Cörnchen” ([“Mit einem Mann möchte ich nicht tauschen”](#), translation: “I wouldn’t swap places with a man”), particularly in connection with celebrations in the family and at the Kaiser Wilhelm Institute.<sup>2</sup> There is no mention of her professional activities; professional activities are a topic that was predominantly discussed in relation to men at the time, and so Marie Bruns-Bode’s notes naturally focus on Viktor Bruns’ work as Director of the Institute.

However, the few biographical details known about Cornelia Bruns’ life at least make her ability to translate from English comprehensible, and the fact that she spent “some time” in England after 1907 explains her thorough knowledge of English and thus her general ability to

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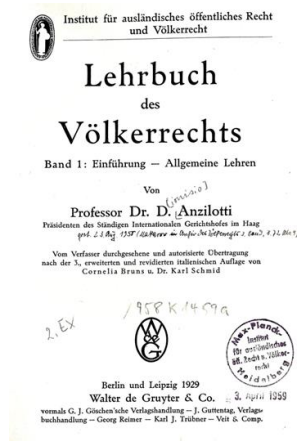
<sup>2</sup> Rainer Noltenius (ed.), *Mit einem Mann möchte ich nicht tauschen. Ein Zeitgemälde in Tagebüchern und Briefen der Marie Bruns-Bode (1885-1952)*, Berlin: Reimer 2018.





translate the work of the American Edmunds. But how did she know Italian? The fact that she “could read foreign languages” is mentioned in some places in Marie Bruns-Bode’s notes, edited by Rainer Noltenius. Yet we are not told which languages these were. Learning foreign languages was certainly part of the “education” of daughters of the upper classes at the time. But whether this was enough to translate a sophisticated textbook from Italian into German remains unclear. Cornelia Bruns was obviously in a position to do so, presumably because she had familiarized herself intensively with the language on her own initiative and was also able to develop considerable knowledge of international law in the working environment of the Bruns Institute.

## Anzilotti and Edmunds. Cornelia Bruns as translator



Her translation of the third edition of *Volume 1: Introduction – General Doctrines* of Dionisio Anzilotti’s textbook on international law, published in 1929, was of particular importance for German-speaking scholars of international law. However, the importance of this German translation of the classic textbook is hardly mentioned, and even less so the translator, who is not even mentioned by name in the preface to the German translation written by Anzilotti himself. After Anzilotti briefly refers to the new developments in international law included in the third edition, he devotes a short paragraph to the German translation, which is quoted here:

*„Having said this [the general preliminary remarks and new features of the 3rd edition], it falls to me to take this opportunity to publicly express my most sincere thanks to Prof. Dr. Viktor Bruns, Director of the Institute for Foreign Public Law and International Law in Berlin. The great effort he made and the way in which he overcame the not inconsiderable difficulties that had to be overcome in order to have this work translated today give me one of the greatest satisfactions of my academic career: to be able to hand over to the German public a work that is so greatly indebted to German jurisprudence.“<sup>3</sup>*

Who Viktor Bruns “left the translation to” is clear from a note on the title page: “Transmission reviewed and authorized by the author after the 3rd, expanded and revised Italian edition by Cornelia Bruns u. Dr. Karl Schmid”.

Dr. Karl Schmid, better known as [Carlo Schmid](#), was born in France in 1896 and began studying law and political science at the University of Tübingen in 1919 after serving as a soldier in the

<sup>3</sup> *Dionisio Anzilotti*, *Lehrbuch des Völkerrechts*, Vol. 1: Einführung – Allgemeine Lehren, Autorised Transl. Cornelia Bruns / Dr. Karl Schmid, Berlin: De Gruyter 1929, IV.







First World War. He passed his first state examination there in 1921; the second state examination followed in 1924. He initially worked as a lawyer, but then joined the judiciary in 1925 as a municipal judge and later state court judge in Tübingen. From 1927 to 1928, he was on leave of absence to work as a lecturer at the Kaiser Wilhelm Institute for Foreign Public Law and International Law in Berlin. In 1929, he habilitated in Tübingen with a thesis on “The Jurisdiction of the Permanent Court of International Justice”. His later career as a politician is commonly known and does not need to be described in detail here. Of interest here, however, is his involvement in the translation of Anzilotti’s textbook, which is of great importance because he brought with him the legal expertise that complemented Cornelia Bruns’ linguistic skills and, in a process of productive cooperation between the two members of the Institute involved in the translation, produced a result of remarkable quality.

It should be mentioned, however, that Cornelia Bruns, who worked as a librarian at the Kaiser Wilhelm Institute (and probably also through conversations within her family), naturally also had some knowledge of international law, which is an impressive “by-product” of the work as a librarian even today. Nevertheless, her achievement as a translator remains outstanding, especially given that the translation of texts from Italian into German, which is far more concise and, if one may say so, less verbose, is always a challenge, above all due to the fact that the author’s style must be reproduced as authentically as possible. If you look through the book of over 400 pages, you will see that some things would probably be formulated differently today, but the legal content is always expressed in an absolutely accurate and understandable way, and the characteristic differences in legal terms and institutions and the areas of international law, its foundations and developments, which were still much more limited at the time, are clearly portrayed. In the 1920s, it was a significant bibliographical enrichment to have such a work from the hand of an Italian scholar of international law available and accessible in a German translation – alongside the standard German works such as F. von Holtzendorff, *Handbuch des Völkerrechts* (4 vols., 1885-1889), F. Stier-Somlo, *Handbuch des Völkerrechts*(1912), H.B. Oppenheim, *System des Völkerrechts* (1866), J.C. Bluntschli, *Das moderne Völkerrecht der zivilisierten Staaten als Rechtsbuch dargestellt* (1878), A. Quaritsch, *Compendium des europäischen Völkerrechts* (1913), and K. Strupp, *Grundzüge des positiven Völkerrechts* (1928). This was especially the case as many legal scholars were able to read English and French works whereas Italian was not a common foreign language. The purely practical problems of translating such an extensive work without the technical aids that are taken for granted today are recalled here. It is safe to say that Cornelia Bruns had noor nearly no staff to support her in this enormous task.





Cornelia Bruns' second translation, published before the translation of Anzilotti's textbook, is the work by Sterling E. Edmunds with the original American title *The Lawless Law of Nations. An Exposition of the Prevailing Arbitrary International Legal System in Relation to Its Influence Upon Civil Liberty, Disclosing It as the Last Bulwark of Absolutism against the Political Emancipation of Man* (published in Washington in 1925). The title alone suggests that this is not a classic textbook on international law. The German translation of the title – “*Das Völkerrecht – ein Pseudorecht*” – illustrates that it is a very critical, indeed overall distinctly negative work on the state of international order at the time, in which in particular “...a work on International Law or The Law of Nations, as it is taught and practiced, in relation to its influence and effect upon human liberty”.<sup>4</sup>

## Das Völkerrecht – ein Pseudorecht

von  
Sterling E. Edmunds

Amerikanische Übersetzung des amerikanischen Werkes  
The Lawless Law of Nations (1925) von Cornelia Bruns

19. JAN 1950

2. Ex.



Berlin und Leipzig 1933  
Walter de Gruyter & Co.  
vormals G. J. Göttsche'sche Verlagsbuchhandlung – J. Guttentag, Verlags-  
buchhandlung – Georg Reimer – Karl J. Trübner – Veit & Comp.

Professor Sterling E. Edmunds, after working as a journalist and as a clerk in the State Department, was a lecturer on the law of nations at the St. Louis University School of Law when his book was published: “In this volume I feel that I have demonstrated the complete oppugnancy between the prevailing system of the Law of Nations and the free progress of man as a moral and social being. In doing so I have been compelled to deny that The Law of Nations is, in fact, a branch of jurisprudence, and thus to part company with my professional brethren in this field. However, I entertain the hope and belief that some of them ... will ... seek with me a safer route, less infested by political carnivora for whom up to now man has been but a feast.”<sup>5</sup>

Whether these remarks can already be seen as the starting point for the development of international law with its focus on human rights will not be discussed in detail here. However, it is noteworthy that the author's criticism is essentially directed at armed conflicts and concludes that “the reign of a true Law of Nations” can only begin when it is “founded upon the application to collective relations of those fundamentals of justice and decency which reasonable men have learned to apply in their individual relations – not the fictitious and privileged system of violence adapted to those artificial monstrosities called Sovereign States”.<sup>6</sup>

Edmunds' idealistic notion of a progressive development of the community of states is almost touching, but tends to reinforce the idea that international law is called upon to regulate the relations of states, the artificial beasts, in a world that is, after all, not ideal. The translation of

<sup>4</sup> Sterling, E. Edmunds, *The Lawless Law of Nations. An Exposition of the Prevailing Arbitrary International Legal System in Relation to Its Influence Upon Civil Liberty, Disclosing It as the Last Bulwark of Absolutism against the Political Emancipation of Man*, Washington D.C.: J. Byrne 1925, „Prefatory Note“, V.

<sup>5</sup> Sterling (fn. 4), „Prefatory Note“, V.

<sup>6</sup> Sterling (fn. 4), „Conclusion“, 427.



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the book, which was intensively received immediately after its publication and [critically reviewed by Jackson L. Ralston in the \*American Journal of International Law\*](#), among others, was not “initiated” by the Kaiser Wilhelm Institute, but was the result of a request by the author himself, which was fulfilled “through the mediation of Professor Hermann Heller (now at the University of Frankfurt/Main)”. This is stated in the “Translator’s Preliminary Remarks” at the beginning of the book, which also expresses the translator’s gratitude to the people who have given her special support in completing the work with their specialist knowledge. Cornelia Bruns is officially mentioned on the title page of the work with the words also used in the Anzilotti translation: Authorized translation of the American work *The Lawless Law of Nations* (1925) by Cornelia Bruns.

Almost a century after their completion, these works by the translator Cornelia Bruns, which are both informative and distinguished by a high degree of linguistic sensitivity, are honored here for the first time and remind us that science, not only jurisprudence, continues today to require not only innovative scientific experts and thinkers for its development, but also the more “silent supporters” in the background. This short memorial to Cornelia Bruns for her efforts is a tribute to them.

*Translation from the German original: Sarah Gebel*

