



PROFILE

The legal academic Otto Kahn-Freund was born in Frankfurt am Main on 17 November 1900. After a short period of military service at the age of 17, he studied history and law at the Universities of Heidelberg, Leipzig and (primarily) Frankfurt between 1918 and 1923. While a student he joined the Social Democrat Party. He was heavily influenced while at Frankfurt by the lawyer and Social Democrat politician Hugo Sinzheimer (one of the draftsmen of the Weimar Constitution and the creator of modern German labour law), and worked as his assistant. In 1928 he began working as a judge in the Charlottenburg District Court in Berlin, moving to the Labour Court in 1929. In 1931 he married Elisabeth (Liesel) Klaiss, with whom he adopted a daughter, Sylvia.

After the Nazis came to power in 1933, Kahn-Freund's position in Germany became precarious. In 1931 he published a book, and in 1932 an essay, criticising the increasingly right-wing character of labour law and the Fascist ideology behind the decisions of the national labour court (the Reichsarbeitsgericht). In March 1933, he delivered a judgment which struck down as unlawful the dismissal of three technicians working for the state broadcasting organisation, who had been accused of being Communists and of conspiring to sabotage Hitler's first national radio broadcast. He was immediately suspended from his post and dismissed on 1 April 1933. He and Elisabeth travelled to England, initially planning to stay for a fortnight and explore the possibility of eventual immigration; however, they realised it would be unsafe to return to Germany. SA troops raided their home in Berlin, confirming this. Instead, they remained in England as political refugees, becoming naturalised citizens in 1940 (escaping internment as a result).

OTTO KAHN-FREUND

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shared future*

Kahn-Freund studied for and received the LLM from the London School of Economics, and became an assistant lecturer in Law there in 1936. In the same year he was called to the Bar by the Middle Temple. He was appointed to a lectureship at LSE in 1939, a readership in 1947 and a professorship in 1951. He developed an interest in comparative conflict of laws (as he noted, not by choice, but by fate, thanks to his enforced transition from the German civil law to the English common law system), becoming a significant enough expert in the field that he was an editor of the sixth to ninth editions of Dicey's Conflict of Laws. He helped to establish labour law (which he saw as "one of the centrally important branches of the law") as an independent area of legal study in England; at LSE he developed the country's first taught course on family law within a university law degree. For many years he was a visiting lecturer at Yale Law School, where he was offered a permanent Chair. In 1964, acknowledged as a major authority in the fields of labour law, conflict of laws and family law, he was elected to the Chair of Comparative Law at the University of Oxford, also becoming a fellow of Brasenose College. His tenure was extended, and he remained in the Chair for seven years. He became FBA in 1965, and in 1969 was made an honorary Bencher of the Middle Temple. He took silk in 1972 and was knighted for his services to labour law in 1976. After his retirement in 1971, he held visiting professorships at Cambridge and Paris, continuing to lecture and write; he was chief editor of the International Encyclopedia of Comparative Law until the end of 1978, less than a year before his death.

In addition to his legal scholarship, Kahn-Freund dedicated himself to his political convictions. He wrote and spoke against Nazism (under a pseudonym in order to protect his family members who remained in Germany) throughout the war years, and was active in the BBC's German Division. After the war, he became a member of the legal service of the Allied Control Commission for Germany.

Kahn-Freund considered his Jewish identity "the most important single fact of my life", and was proud of his Jewish upbringing; he attributed to it the passion for justice and concern for the disadvantaged which led him to labour law and socialism.

He died on 16 August, 1979, after suffering a coronary occlusion four days earlier. He was survived by his wife and daughter.

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