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# Sprechen sie Deutsch?

This column will attempt to prove that you, California lawyer, do indeed know more German than you may think.



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### **EXCEPTIONALLY APPEALING**

Welcome to Exceptionally Appealing's Oktoberfest Issue. As in English, depending on emphasis and inflection, the phrase "*Sprechen Sie Deutsch*" can be a question ("Do you speak German?") or a statement ("You do speak German"). This column will attempt to prove that you, California lawyer, do indeed know more German than you may think. Our path to this linguistic enlightenment will be an exercise of appellate onomastics, i.e., a whirlwind tour through the names of California appellate justices of German

derivation (construing "German" to include its modern and historical incarnations -- without bothering to get into boring details about High, Low, Old, Middle, Early, or any other particular ancient variation). Assuming you've been practicing law for a while, and pay any attention to the names of justices in the opinions you read, most of these surnames should sound familiar. But to make things easier, parentheticals accompany each name with numbers denoting Court of Appeal districts and "SC" standing for Supreme Court.

**Das Präludium (prelude).** Americans with German ancestry are the largest self-reported ancestry group by the Census Bureau (44.2 million in 2018). Significant numbers of German immigrants arrived in the 13 Colonies starting in the 17th century, and that influx continued in large numbers until the late 20th century. Many settled in Pennsylvania (by 1775, a third of the population was German), where a Pennsylvania Dutch tradition lives on -- "Dutch" here meaning *Deutsch* (German), not Netherlanders, of course. Indeed, a German Belt of sorts extends from Pennsylvania, across many northern states, to Oregon. Individuals of German descent comprise a third or more of the population of the Dakotas, Wisconsin, Nebraska, Iowa and Minnesota. California comes in 43rd place by percentage (at only 7.5%), but in counting heads, California comes in second place (after Pennsylvania, of course). See Wikipedia, German Americans.

Excluding English and Spanish, German is the most commonly spoken language in 16 American states (Ohio, Indiana, Kentucky, Tennessee, Alabama, Arkansas, Missouri, Iowa, Wisconsin, North Dakota, Kansas, Colorado, Wyoming, Utah, Montana, Idaho). See Ben Blatt, "Tagalog in California, Cherokee in Arkansas: What language does your state speak?" Slate May 13, 2014.

With that Vorspeil (foretalk) out of the way, Los, auf! (a slangy "c'mon, let's go!") and get to the names. Those who truly care about this topic (and accuracy) should consult Hans Bahlow's *Deutsches Namenlexikon* (Dictionary of German Names) (2d ed. Univ. Wisc. Press 2002). That authoritative and legitimate source was most assuredly not consulted in the following exercise of rank amateurism.

**Occupationals.** Many surnames in all languages generally come from jobs, like Baker(2), Miller(1,4), Smith(1,5), Shoemaker(1), Butler(1), Stewart(1) (a guard), Cooper(2,8) (a barrel-maker), and Wright(2/SC) (a woodworker). Teutonically derived names are no exception. Thus, we have Kaufman(4/SC), a shopkeeper or merchant (the English equivalent being Chapman, i.e., shopman) and Kremer(4), also a shopkeeper, is a version of Krämer (No. 72 on the list of most common names in Germany), from *kram* meaning odds-and-ends, i.e., a trading post, or possibly from an ancient word for "cream" relating to makers or sellers of dairy products). A Kriegler(2) is a

warrior (Krieg means war). Shafter(SC) comes from *Schäfer* (No. 11 on the list), meaning a Shepherd(2). A Schauer(2/SC,2) is an official inspector (*schouwen* is ancient German for seeing; in modern German *Schauer*, of course, means shower). Tucher(1) (a cloth or towel maker) comes from *Tuch* (cloth or fabric). Segal(2) might be a variant of *Siegel* (seal), a maker of seals or signet rings (from *sigel* meaning seal) or an official in charge of a seal. Or it (and others in this ditty) might be a false cognate entirely (see disclaimer above).

Brauer(6) means brewer -- speaking of which, Goethals(4) comes from the Dutch *Goedaels*, meaning good ale. Krause(3) is a maker or seller of jugs (also someone with curly hair), and number 29 on the list; Renner(3) is a messenger (i.e., a runner -- Trotter(4) is the French version). Huffman(4), from *Hoffman*, is a steward or courtier (and is number 10 on the list of most common surnames in Germany). Hauser(2) from *Haus* (house) is someone who gives shelter or protection. A Gerst(2) is a barley grower (*Gerste* is barley). Shenk(SC) comes from *schenk*, a cup-bearer or tavern-keeper. Sloss(SC) comes from *Schloss*, meaning both a castle and a lock, thus a locksmith. A Grover(6) is a ditch or grave digger. Kruger(SC) comes from *Krüger*, meaning an innkeeper (in Low Saxon) or a potter (in High German), from *Krug* meaning jug or pitcher. Groban probably comes from *Grube*, a pit or mine, and thus is an occupational name for a mineworker. Appellate lawyers frequently cite to Eisenberg (author of the Rutter Guide's Blue Bible), which means iron mountain, and so by extension denotes an ironworker.

Locatives. Apart from the occupational surnames, many names derive from a place, usually where the family was from: e.g., Cologne(4), Wiener(4) (someone from Vienna), and Schweitzer(2) (from Switzerland). Pollak(1), someone from Poland, is one of the earliest German-American surnames, common even around the era of Independence. Dalsimer(2) is someone from Dahlheim (in the Rhineland). An Epstein(2) is someone from Eppstein, in Hesse, and a Goertzen(2) is someone from Hesse's Fulda region.

**Topography and Nature.** Many names come from geographical terms (e.g., the English name Slough(4) is someone who lives near a marsh). Hence, Stein(1) means stone or rock (and is No. 74 on the list). Sharpstein(SC) means sharp stone (from *Scharff* and *Stein*). Perluss(2) is a variant of *Perle*, meaning a pearl, often used for traders in pearls and precious stones. A *Berg* is a mountain or hill, and Feinberg(1) means a fine one.

Other names come from plants, animals, or common objects. Vogel (2,2) means Bird(SC) (and is No. 51 on the list). Sonenshine(4) (*Sonnenschein*) is sunshine (also used for someone with a sunny disposition); Feuer(2) is fire. *Hoff* is a settlement or

farmstead; *stadt* is a city. Presumably, then, Hoffstadt(2) and the variant Hufstedler(2) are bucolic cosmopolitans at home both in town and country.

Danner(6) is someone who lives in or near a forest. (*Tann*, as in *Tannenbaum*, an old German word for pine or fir tree.) Butz(3) is supposedly someone who lives near a well (from *bütze*, meaning well or puddle in old German.) Hoch(3) (meaning high) is someone who lives at high elevation (or is simply tall). Kaus(2/SC) derives from *Gasse* (alley) and denotes someone who lives in an alley off a village's thoroughfare.

**Descriptives.** Other names come from personal characteristics. Klein(2), meaning small, is one of the most common surname of Germanic origins (number 15 on the list), having numerous permutations (e.g., Kline(1)), and refers to small or short people (or the youngest in a family), as well as to ironically refer to a large person. Richman(1) (*Richmann*) means a rich or powerful man. Swager(1) is thought to derive from old German meaning sad or grieved (though more probably derives from Dutch for a male in-law). Wunderlich(6) means whimsical, and so is an eccentric or moody person. A Snaffer(5) is a nickname for someone who puffs or pants (*Schnauffer* means breath). Feinerman(2) is a fine or polite man, i.e., a gentleman. Finally (*endlich*) -- to conclude on a joyous note -- Froehlich(4) is a cheerful person (*fröhlich* means merry).

All that should put you in the mood for a nice Oktoberfest brew, which in America is most often a style known as a Dark or Vienna Lager. (Dos Equis Ambar is a New World version, tracing its history to a German immigrant who founded a brewery in Veracruz in 1890--but that's another story). This lager was traditionally brewed in the spring (*Marzen*, another name for these beers, means March) and then aged (*lagered* meaning stored) until October. Enjoy cold, with a German-English dictionary *zur hand* (at hand). *Prost!* (Cheers!)