

Key Contemporary Thinkers

MORGENTHAU



william e. scheuerman

Morgenthau

Hans Morgenthau
Realism and Beyond

William E. Scheuerman

polity

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First published in 2009 by Polity Press

Polity Press
65 Bridge Street
Cambridge CB2 1UR, UK

Polity Press
350 Main Street
Malden, MA 02148, USA

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ISBN-13: 978-0-7456-3635-1
ISBN-13: 978-0-7456-3636-8(paperback)

A catalogue record for this book is available from the British Library.

Typeset in 10.5 on 12 pt Palatino
by SNP Best-set Typesetter Ltd., Hong Kong
Printed and bound in Great Britain by MPG Books Ltd, Bodmin, Cornwall

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For Lily

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Acknowledgments

I was inspired to write this book by a wonderful conference that took place in the autumn of 2004 at Gregynog Hall outside Newton in Wales. Organized by Michael C. Williams, Department of International Politics, Aberystwyth, and devoted to a reconsideration of the intellectual legacy of Hans J. Morgenthau, the meeting brought to my attention the need for an updated survey of Morgenthau's ideas sufficiently attuned to contemporary intellectual and political trends. My special thanks to Michael for the invitation to participate, as well to the many speakers for their fascinating insights on Morgenthau and his views.

Audiences at Chicago, Cornell, Indiana, McGill, and Vanderbilt Universities have graciously served as guinea pigs as I tried out my sometimes heterodox ideas on Morgenthau. I am also indebted to the journal *Review of International Studies* for allowing me to integrate some sections of an article originally published there into chapter I, and also *Constellations* for permitting me to reuse (in chapter II) some materials which originally appeared in its pages. Jeffrey Flannery of the Library of Congress provided easy access to the Morgenthau Archives, and Luke Mergner at Indiana University helped dig up copies of Morgenthau's harder-to-find writings. Emma Hutchinson at Polity has been an exemplary editor in every respect. Finally, I thank the two anonymous referees at Polity for their astute comments, criticisms, and suggestions on an earlier draft.

My father was briefly a student of Morgenthau's during the early 1970s. In fact, trying to figure out how my dad – who, like many in

his generation, was radicalized by the events of the 1960s – could think so highly of an erstwhile “classical Realist” like Morgenthau undoubtedly played a role in my decision to write this book. I know that my dad – the first in his family to attend college, hailing from an apolitical and somewhat anti-intellectual working-class family – remains grateful for Morgenthau’s support during a crucial juncture in his life. If I have done any justice to Morgenthau’s thinking in these pages, perhaps I can help repay a family debt.

This book is dedicated to my daughter Lily, who has accompanied and – by capably allying herself with her older sister Zoe – frequently interrupted its composition. Lily’s feisty spirit and contagious smile have provided much-needed respite from working on the volume and thinking about the many frightening historical conjunctures (e.g. Nazism, the cold war, the Vietnam War, and the specter of nuclear war) to which my research necessarily drew me. Lily has also helped remind me of how much remains at stake in a political universe still haunted by many of the same problems – just to mention two: democratic decay and nuclear proliferation – which rightly preoccupied Morgenthau in the final decades of his long career.

Abbreviations

For the *key* or *main* texts authored by Morgenthau, the following abbreviations have been used. To facilitate transparency, the relevant abbreviation and page number(s) appear in the main body of the text. So “(IDNI, 114),” for example, refers to p. 114 of *In Defense of the National Interest*. For *Politics Among Nations: The Struggle for Power and Peace* (PAN), the edition used is also noted.

IDNI	<i>In Defense of the National Interest</i> (1951)
IRWG	<i>Die internationale Rechtspflege, ihr Wesen und ihre Grenzen</i> (1929)
NFP	<i>A New Foreign Policy for the United States</i> (1969)
PAN	<i>Politics Among Nations: The Struggle for Power and Peace</i> (1st edn., 1948; 2nd edn., 1954; 3rd edn., 1960)
PAP	<i>Purpose of American Politics</i> (1960)
“PFIL”	“Positivism, Functionalism, and International Law” (1940)
SM	<i>Scientific Man Vs. Power Politics</i> (1946)
VUS	<i>Vietnam and the United States</i> (1965)

For the *collections of essays* authored by Morgenthau, the following abbreviations have been used.

DDP	<i>Decline of Democratic Politics</i> (1962)
DP	<i>Dilemmas of Politics</i> (1958)
IAFP	<i>The Impasse of American Foreign Policy</i> (1962)
RAP	<i>The Restoration of American Politics</i> (1962)
TP	<i>Truth and Power: Essays of a Decade, 1960–70</i> (1970)

Full bibliographical information (including, of course, the title of the relevant essay or book chapter referenced) is provided in the endnotes or bibliography.

Substantial use has been made of archival materials from the Hans J. Morgenthau Papers (HJM) at the Library of Congress, Washington, D.C. (with "B" referring to the box or container number).

Finally, endnotes with full biographical information are provided for all other materials, including publications by Morgenthau infrequently cited or used.

Introduction: Morgenthau's uneasy Realism

Realist international theory continues to exercise extraordinary influence on policy makers and intellectuals. A complete list of Realist practitioners would read like a *Who's Who?* of modern foreign policy.¹ Henry Kissinger would surely be positioned atop the list, but it would also encompass many other prominent public figures. Realism's present theoretical representatives include luminaries as otherwise intellectually diverse as the US political scientist Kenneth Waltz and Italian political philosopher Danilo Zolo. Historians have traced Realism's impressive intellectual roots to Niccolò Machiavelli, Thomas Hobbes, and Max Weber.² Realism represented the predominant theoretical orientation among especially postwar US scholars of international politics for decades. Although the end of the cold war and worldwide debates about reforming the UN placed Realism on the defensive in the 1990s, with the 9/11 terrorist attacks, US hostility to international law, China's ascent, resurgent Russian nationalism, and disorder in the Middle East, Realism appears to have undergone both a political and intellectual comeback. In the United States, some prominent defenders of the Iraq War have alluded vaguely to Realist ideals, whereas leading critics of the invasion of Iraq have appealed even more forcefully to Realist principles.³ In ongoing debates concerning global governance, Realism provides a rich intellectual goldmine for those skeptical of cosmopolitanism and its ambitious blueprints for international reform.

So how then might we define Realism? The question is more complicated than first seems apparent, and scholars have invested

substantial energy in trying to come up with a useful summary of its main tenets.⁴ Matters are complicated by the fact that Realism, like any great intellectual movement, comes in different shapes and sizes. Fortunately, political theorist Michael Joseph Smith has provided a succinct working definition:

the Realist picture of the world begins with a pessimistic view of human nature. Evil is inevitably a part of all of us which no social arrangement can eradicate: men and women are not perfectible. The struggle for power – which defines politics – is a permanent feature of social life and is especially prominent in the relations between states. In the realm of international politics, states are the only major actors, and no structure of power or authority stands above them to mediate their conflicts; nor would they peacefully consent to such a structure, even if it could be shown to be workable. States act according to their power interests, and these interests are bound at times to conflict violently. Therefore, even if progress toward community and justice is possible *within* states, the relations *between* them are doomed to a permanent competition that often leads to war. However deplorable, this permanent competition remains an unavoidable reality that no amount of moral exhortation or utopian scheming can undo.⁵

Of course, what counts as “real” in contrast to “ideal,” like beauty, is always in the eyes of the beholder.⁶ But the Realist tradition in international political theory typically highlights the imperfectibility of human nature, inevitability of political conflict, indispensable role of states in preserving a modicum of political order and morality, and the competitive and potentially violent nature of interstate relations, as well as the improbability of far-reaching global reform, let alone the achievement of what Immanuel Kant, Realism’s greatest philosophical nemesis, famously described as “perpetual peace,” to be secured by a worldwide or cosmopolitan legal order.

Modern Realist theory has been espoused and sometimes updated by myriad authors. Besides Waltz and Zolo, Raymond Aron, E. H. Carr, John Herz, and Reinhold Niebuhr, as well as contemporary political scientists like Robert Gilpin and John Mearsheimer, immediately come to mind. The provocative “English School” of international relations arguably includes substantial overlap with Realism as well. Yet twentieth-century Realism’s intellectually most impressive and certainly most influential figure remains the German-Jewish émigré Hans Joachim Morgenthau (1904–80), aptly described by Stanley Hoffmann as the “pope of Realism.” When Hoffmann noted that “if our discipline [i.e. US international

relations] has any founding father, it is Morgenthau," he was accurately describing Morgenthau's huge impact on the study of international politics, especially in postwar America.⁷ One recent study has employed the latest quantitative methods to prove that Morgenthau's intellectual agenda effectively dominated the scholarly study of international relations in the United States well into the 1970s.⁸ Realism remains a multisided movement, and even though contemporary Realists enjoy touting their purported advances vis-à-vis Morgenthau and other so-called "classical" (or human-nature-centered) Realists, by any account Morgenthau belongs among its intellectual giants. Not only did Morgenthau write two of postwar Realism's most influential books, *Politics Among Nations: The Struggle for Power and Peace* (1948) and *In Defense of the National Interest* (1951), but he penned about a dozen others, as well as hundreds of scholarly articles on an astonishing range of topics. Unlike most academics, Morgenthau also became a much sought-after public intellectual, and his oftentimes pithy commentaries on foreign affairs appeared regularly in popular magazines and journals, as well as newspapers like the *New York Times*, from the 1950s onwards. When he passed away in 1980, not only was Morgenthau the founding father of the dominant US approach to the study of international politics, but major public figures like Henry Kissinger described him affectionately as a teacher and mentor.⁹

When I began this study, I did so believing that Morgenthau's enormous influence called for an intellectually rigorous but accessible survey of his ideas. My original plan was to buttress the conventional view of Morgenthau as a provocative but ultimately conservative Realist thinker, highlighting the ways in which his theory sometimes fruitfully challenged contemporary cosmopolitanism, to which I am broadly sympathetic. To make a long story short, I accepted the conventional view that Morgenthau was an intriguing but institutionally backwards-looking thinker, hostile to global reform and the quest for a novel world order. The fact that a practitioner of traditional *Realpolitik* like Kissinger could consider Morgenthau his mentor did not seem surprising. The German-born Morgenthau, after all, had been influenced by political icons like Bismarck and right-wing strands in central European thinking about power politics. On this view, Morgenthau had imported this continental tradition into Anglo-American intellectual and political discourse. His theory, I initially believed, encapsulated the rare strengths as well as the abundant weaknesses of classical European power politics and *Realpolitik*.

Even today, this interpretation remains influential.¹⁰ Morgenthau's ideas are now widely associated with a Realist tradition whose origins are located in Machiavelli, Hobbes, as well as more recent figures like Bismarck and Schmitt.¹¹ Morgenthau, we are regularly reminded, devalued the place of morality and even law in international affairs, and he evinced deep animosity towards the quest for novel modes of political and legal organization beyond the nation state. He disdained "moralism," "legalism," and especially "utopianism" in international thought. He merely applied a rather old-fashioned defense of the Westphalian system and traditional power politics to the novel exigencies of the cold war.

As is often the case with conventional wisdom, this view contains some valuable insights. Morgenthau was at least partially influenced by conservative central European ideas about foreign affairs, including those of the right-wing authoritarian thinker Carl Schmitt. In many ways, his reflections fit neatly under Michael Smith's concise definition of Realism. Morgenthau built on a pessimistic philosophical anthropology, underscored the irrepressibility of political conflict in human affairs, and regularly expressed skepticism about many models of global reform. At times, his reflections incorporated an undeniable nostalgia for the traditional state system, whose demise he lamented. For many understandable reasons, Realists have looked to Morgenthau for inspiration. By the same token, cosmopolitan defenders of international reform have occasionally considered him a worthy opponent, but understandably not a fruitful source for constructive thinking about the prospects of global governance.

Despite its strengths, this conventional picture is badly flawed.¹² In fairness, Morgenthau was partly to blame for the widespread tendency to simplify and even caricature his ideas. He was a blunt writer who loved rhetorical flourishes. This made his work accessible (as well as popular among university teachers putting together course readings), but it allowed readers to overlook the richness and nuances of his highly idiosyncratic international theory.¹³ Unfortunately, those with a theoretical or philosophical bent have tended – in my view, incorrectly – to deem Morgenthau a simple thinker, easily pigeonholed as a relatively straightforward Realist and then comfortably removed from closer observation. In addition, the disciplinary divide, especially in the United States, between the empirical study of international relations (i.e., the subfield of IR) and political theory has exacerbated the difficulties of accurately assessing his work. Like his good friend Hannah Arendt, Morgenthau himself

bridged or at least ignored the disciplinary divides of postwar political science, whereas most of his successors, especially in North America, have not. As a result, political theorists and philosophers neglect Morgenthau, accepting uncritically the conventional view of him as a "Realist IR theorist," while international relations scholars interpret him as a forerunner to (purportedly) more scientific versions of recent Realist theory. Not surprisingly, they tend to occlude Morgenthau's ambitious normative aspirations. The result is not only a badly skewed portrayal of Morgenthau, but also a significant body of literature that reproduces the artificial separation between political theory and international relations he fought energetically to overcome.¹⁴

Throughout his long career, Morgenthau engaged deeply and widely with some of the most important voices in political and legal theory. His intellectual socialization as a young lawyer in Weimar Germany, during which he responded powerfully to Hans Kelsen, Schmitt, and especially creative voices in left-wing legal sociology, left deep marks on his thinking. During the 1940s, as he established himself at the University of Chicago as an up-and-coming young scholar of international politics, his writings demonstrated not only a deep affinity for Max Weber and the theologian Reinhold Niebuhr, but also an impressive familiarity with the mainstream of western political and moral thought. In the final decades of his career, as a renowned public intellectual fearful of the possibility of nuclear annihilation, he turned to the German existentialist philosopher Karl Jaspers for guidance. When he anxiously pondered the fate of democracy in his adopted American home, Kelsen, Alexis de Tocqueville and perhaps Arendt served as conversational partners.

Even the conventional "Realist" label proves troublesome when applied to Morgenthau. Until the start of the Second World War, he indeed advocated a "realistic" approach to the study of international law. Yet his proposed method had little in common with Realist international theory as conventionally interpreted after 1945. Instead, it was directly shaped by left-wing legal sociology and the ideas of Morgenthau's key mentor from the late 1920s and early 1930s, the politically progressive Weimar labor lawyer and legal scholar Hugo Sinzheimer. During the 1940s and especially in major works like *Scientific Man Vs. Power Politics* (1946), Morgenthau refused to describe his own intellectual endeavors as Realist, instead subjecting Realist and proto-Realist international thinking to a scathing critique. It was really only with the publication of *In Defense of the National Interest* (1951), and then the second edition of *Politics*

Among Nations (1954), that Morgenthau finally situated his own theoretical project under the Realist rubric. Since this was Morgenthau's most influential intellectual and professional moment, it is hardly surprising that most of his readers have readily accepted the commonplace view of Morgenthau as a more-or-less conventional Realist. However, by the early 1960s, he was again emphasizing the conceptual limitations of Realism, arguing that the prospects of nuclear war required a fundamental rethinking of international relations theory capable of reintegrating the neglected insights of what Realists too often had dismissively dubbed "utopianism." Morgenthau, in fact, *defended* far-reaching reforms to the Westphalian system of states, insisting that ultimately only a world state could save humanity from the perils of nuclear war. To be sure, he always remained hostile to what he considered unduly naïve models of international reform. Yet he also openly endorsed the *functionalist* model of international reform proposed by another émigré from central Europe, David Mitrany, whose ideas were already playing a decisive role in the emergence of a novel supranational polity in Western Europe. At an early date, Morgenthau greeted the movement towards a unified Europe with enthusiasm.

Morgenthau was always an *uneasy Realist*, unsatisfied with conventional interpretations of the tradition and its intellectual forerunners and at times unsure whether his work should even be described as a contribution towards it. To his enormous credit, he at least occasionally acknowledged that Realism, as generally conceived, was poorly suited to some of the novel challenges of our times. Although this exegesis will surprise many readers, it offers not only a more accurate, but also a theoretically more fruitful, interpretation of Morgenthau's far-flung and admittedly sometimes tension-ridden writings. First, it encourages contemporary Realists to reconsider unquestioned assumptions about not only the genesis of their own ideas, but also their generally dismissive views about far-reaching international reform. Their intellectual father, I suspect, would have been justifiably alarmed by many of the morally complacent and institutionally conservative intellectual strands found among his offspring. At many junctures in this study, I defend Morgenthau against his Realist children.

Second, this reinterpretation should lead contemporary cosmopolitan advocates of international reform to reconsider Morgenthau's legacy. To be sure, some of Morgenthau's reservations about ambitious proposals for global governance relied on problematic theoretical assumptions. His theory raised at least as many new

questions as it successfully answered old ones. Traumatized by the rise of Nazism and the Holocaust, Morgenthau was a deeply skeptical thinker who doubted that human beings capable of the horrors of Auschwitz were destined to produce a pacific global order in the near or even foreseeable future. Yet his own forthright defense of a world state at least points to the possibility of a fruitful dialogue between Morgenthau and contemporary cosmopolitanism. Like the most impressive voices in present-day cosmopolitanism, he underlined the necessity of linking far-reaching social and political reforms to the establishment of new modes of supranational organization.¹⁵ A plausible version of cosmopolitanism will have to take Morgenthau's insights seriously. Of course, the intellectual divide between cosmopolitanism and Realism is likely to remain large. By the early 1960s, however, Morgenthau himself at least *suggested* the prospect of a novel international theory synthesizing Realist and cosmopolitan ideas. Even if he ultimately failed to achieve that synthesis, a closer look at Morgenthau's legacy will hopefully invite some readers to undertake it.

The organization of this volume is both thematic and roughly chronological. Biographical details have been woven into the exegesis of Morgenthau's ideas, but the emphasis remains on his thinking.¹⁶ I also take Morgenthau's contributions as a political commentator and popular pundit seriously, believing that they illuminate many facets of his thought otherwise easily missed by focusing exclusively on a handful of major publications.

Chapter 1 situates Morgenthau in the Weimar context and especially the politically progressive and creative intellectual environment of Frankfurt, Germany, where Morgenthau started his career as a practicing lawyer and aspiring scholar of international law while working intimately with Sinzheimer, Germany's leading left-wing labor lawyer. Morgenthau's Realism always drew on diverse intellectual sources. However, I underline the progressive and sometimes even radical roots of his Realism in order to compensate for the overstated tendency in recent secondary literature to emphasize the impact of conservative and indeed reactionary writers on Morgenthau. Without properly understanding Morgenthau's initial dependence on left-wing German legal sociology, we cannot appreciate either his subsequent theoretical development or the politically progressive impulses which consistently motivated his thinking.

Chapter 2 then turns to Morgenthau's first decade in the United States, when, particularly in *Scientific Man Vs. Power Politics*, he formulated a morally demanding political ethics. With some

justification, Realism is often accused of downplaying the rightful place of morality and ethics in international politics, and of closing its eyes to the pathologies of the modern nation state. These criticisms may be apt when unleashed against competing variants of Realism. Yet they misrepresent Morgenthau's ideas and the appealing moral impulses behind them. During the 1940s, Morgenthau angrily decried the contribution of the nation state to the demolition of noble yet ever more fragile universal moral values. Even if skeptical of most proposals for extending global governance, he did not celebrate the Westphalian system or the nation state. He also insisted that political actors deserving of our praise should be expected to grapple with the harsh realities of power relations on the international scene while *simultaneously* maintaining fidelity to a strict moral code. Morgenthau's political ethics from the 1940s, in my view, remains surprisingly powerful.

Chapters 3 and 4 examine Morgenthau's influential 1950s writings in which he unabashedly aligned himself with Realism. Chapter 3 argues that Morgenthau's widely discussed *In Defense of the National Interest* represented an attempt to solve internal intellectual and political puzzles generated by his ambitious version of political ethics from the 1940s. Like other commentators, I worry that Morgenthau's reflections on the national interest were problematic and even contradictory. They overstated its centrality to intelligent foreign policy, in part by generally obscuring the constitutive role of political and cultural identity in the determination of the national interest. The claim that foreign policy makers simply should follow the lodestar of the national interest was misleading. Chapter 4 thematizes Morgenthau's most widely read work, *Politics Among Nations*, focusing on how even this unambiguously Realist text nonetheless transcended conventional theoretical categories. Readers have tended to neglect the book's central argument that the admirable and unfulfilled quest for world peace necessitates the establishment of world government. In contradistinction to Realists who concede the desirability of world government but argue aggressively against its realizability, Morgenthau pointed to a number of steps to be taken in order to move humankind at least somewhat closer to its achievement. A world state could only come about by time-consuming piecemeal reforms focusing on concrete regulatory needs that nation states could not successfully tackle on their own. For good reason, however, he worried that humanity might incinerate itself in a horrific nuclear war before a novel political order could be established.

Chapters 5 and 6 examine neglected but illuminating junctures in Morgenthau's late career. During the late 1950s and 1960s, Morgenthau joined the ranks of the growing number of intellectuals deeply alarmed about the prospects of atomic warfare. Inspired by insights from existentialist philosophy, he now argued even more forcefully in favor of the desirability of supranational government, regularly insisting that the previously utopian ideal of a cosmopolitan order had become a realistic *necessity* in the atomic age. Morgenthau's analysis of the unprecedented threats posed by atomic weapons to human survival encouraged him to rethink, albeit unsuccessfully, core Realist ideas. During this period, Morgenthau also formulated many prescient – and unfairly forgotten – insights about the perils of the nuclear arms race, deterrence, and conventional nuclear strategy. For those who worry that international relations theory has yet to come to grips with the historically unprecedented possibility of humanity's self-destruction, Morgenthau has much to offer. On these matters in particular, his theory is superior to that of his Realist offspring, who condone and even celebrate nuclear proliferation to a degree that would have terrified him.

During the 1960s, Morgenthau became one of America's most prominent academic critics of the Vietnam War. His far-reaching criticisms of the Vietnam debacle did not, as some have suggested, represent an abrupt break with his earlier theorizing. On the contrary, his arguments against the war built on the sound intuition, first hinted at in *Purpose of American Politics* (1960), that an effective US foreign policy required far-reaching political and social reform at home. I interpret *Purpose of American Politics* as a struggle to circumvent the weaknesses of Morgenthau's earlier reflections on the national interest, suggesting that he had probably become aware of the limitations of his previous neglect of the role of political and cultural norms and ideals in its formulation. Especially during the 1960s, Morgenthau openly proposed "radical reform" to US democracy, whose deep ills he held responsible for the inanities of US foreign policy in Vietnam and elsewhere. He also formulated a surprisingly robust vision of democratic politics, directly linking – in sharp contradistinction to competing variants of Realism – domestic political and social conditions to the successful pursuit of the national interest.

Some US neoconservatives are now advocating a synthesis of Realism with a renewed appreciation for the distinctive moral identity of the American polity. In this view, Realism is fine as far

as it goes, yet it misses the special and indeed universal appeal of American values. As Condoleezza Rice put it with her usual lack of subtlety during the 2000 US presidential campaign, "American values are universal. People want to say what they think, worship as they wish, and elect those who govern them."¹⁷ At least on the surface, some of Morgenthau's reflections from the 1960s parallel this more recent attempt to combine Realist intuitions with an awareness of America's special moral and political traits. In stark contrast to the neoconservatives, however, Morgenthau's open acknowledgment of the core moral components of the national interest simply strengthened his resolve to advance political and social reform at home, as well as new forms of supranational government abroad. As neoconservatives refer selectively and misleadingly to Morgenthau while pursuing domestic and foreign policies inimical to everything for which he stood, we could do worse than to recall Morgenthau's own more thoughtful discussion of what he similarly described as America's universal appeal.

1

Radical roots of Realism

David Held has recently offered a concise summary of Realist international theory:

Realism posits that the system of sovereign states is inescapably anarchic in character; and that this anarchy forces all states, in the inevitable absence of any supreme arbiter to enforce moral behavior and agreed international codes, to pursue power politics in order to attain their vital interests. This *Realpolitik* view of states has had a significant influence on both the analysis and practice of international relations, as it offers a convincing *prima facie* explanation of the chaos and disorder of world affairs. In this account, the modern system of nation-states is a "limiting factor" which will always thwart any attempt to conduct international relations in a manner which transcends the politics of the sovereign state.¹

If we accept this initial definition of mainstream Realism (and I see no reason why we should not), the young Hans J. Morgenthau was no Realist. In fact, he rejected central attributes of Realism as conventionally understood, including the claim that the modern state system could not be transcended in favor of a normatively superior alternative to it.

To be sure, Morgenthau described his own intellectual project as a quest for a "realistic" theory of international relations. His central thematic preoccupations from the very outset of his intellectual career were the pathologies of existing international law and the dominant positivist approach to analyzing it. Those pathologies,

Morgenthau believed, could only be understood if we developed a hard-headed theory of international politics attuned to the dynamics of power and its tendency to distort law's underlying normative aspirations. Only a realistic assessment of power relations on the global scene could sufficiently explain the actual operations of the international legal order.

How then could one begin to develop such a theory? The young Morgenthau repeatedly called for what he characterized as a *sociological* approach to the study of international law. As late as 1940, he classified his own theoretical endeavors as a contribution to legal sociology. In formulating his version of the sociology of international law, he relied on a substantial body of interwar left-wing legal scholarship. Morgenthau's early political and legal thinking not only clashed substantially with core tenets of postwar Realist theory (including, as we will see, some elements of his own mature rendition of it), but built directly on an unabashedly left-wing model of peaceful social reform via legal means.

This interpretive claim seems surprising. How could Morgenthau's tough-minded Realism possibly claim left-wing intellectual roots? Did the Weimar left decisively shape postwar US international relations theory? This reading should appear somewhat less jolting, however, after we have examined a widely neglected yet revealing conjuncture in Morgenthau's prewar intellectual biography. Between 1928 and 1931, Morgenthau not only worked closely with one of the major voices in left-wing Weimar jurisprudence, Hugo Sinzheimer, but also developed close ties with a number of Sinzheimer's protégés, all of whom were outspoken socialist lawyers who subsequently gained prominence as left-wing political and legal scholars. Well after the destruction of the Weimar democratic left and its vision of peaceful legally based reform for which Sinzheimer and his disciples fought, Morgenthau remained close to Sinzheimer, and he always counted him among the central forces in his intellectual development. Even though Sinzheimer is a nearly forgotten figure today, of little interest except to a dwindling band of left-wing labor lawyers, his work and its impact on Morgenthau demand a careful look.²

Roots of Realism in the Weimar left

In May 1928, the 24-year-old Hans J. Morgenthau joined Sinzheimer in Frankfurt as a *Referendar* in his law office, as well as his assistant

at the University of Frankfurt, where Sinzheimer was a member of the law faculty.³ Morgenthau's decision to work under Sinzheimer provides early evidence of the fierce intellectual and political independence which later so often landed him in rocky waters. Despite a conservative familial background, Morgenthau opted to pursue his legal ambitions under the guidance of one of Weimar's most famous left-wing lawyers, a well-known Social Democrat (in an overwhelmingly right-wing and even authoritarian profession), a former member of the Reichstag regularly subjected to vicious anti-semitic attacks for daring publicly to challenge the most retrograde features of German wartime policy,⁴ and perhaps the key legal mind behind the quest for novel forms of labor and social regulation crucial to German Social Democracy's quest for a peaceful transition from capitalism to democratic socialism. Sinzheimer was the main architect of the Weimar Constitution's controversial promulgation of ambitious social rights: Article 151, for example, called for a new economic order organized in conformity with "the principles of justice," Articles 157 and 159 recognized the rights of labor and labor unions, and Article 165 established worker participation in economic decision making and pointed the way towards a restructuring of economic life in a democratic socialist direction.

Although Morgenthau apparently at first assumed he would remain with Sinzheimer in Frankfurt for a mere six months, he stayed on for nearly three eventful years, in which he practiced law alongside Sinzheimer, published his first articles as well as a book on international law, and decided to pursue an academic career as a theoretically minded legal scholar specializing in international jurisprudence. All of this occurred in the context of the decay of Weimar democracy and rise of Nazism. Sinzheimer quickly served as a confidant on a whole series of intellectual, professional, and personal matters well after Morgenthau left Frankfurt in 1932, with Morgenthau developing heartfelt admiration for someone he later described as "passionately and eloquently devoted to the legally defined interests of the underdog – the worker exploited and abused and the innocent helplessly caught in the spider web of criminal law."⁵ When Morgenthau fled Europe for the United States, it was Sinzheimer who saw him off from the docks of Antwerp.⁶ Nearly forty years later, when German legal scholars were organizing a conference to mark the centenary of Sinzheimer's birth, Ernst Fraenkel – another *Referendar* of Sinzheimer's who went on to an illustrious career as a political scientist in postwar Germany – wrote to Sinzheimer's daughter to tell her that the conference organizers

hoped to attract Morgenthau to participate, as a prominent member of what he dubbed the “Sinzheimer School.”⁷

Morgenthau’s 1978 autobiographical reminiscences suggest that the years in Frankfurt represented an intellectual liberation from the generally stultifying atmosphere of the German schools and universities he previously had attended. He recounted the lively intellectual climate of Weimar-era Frankfurt, where religious-minded socialists like Paul Tillich argued with Sinzheimer, Karl Mannheim was lecturing on sociology,⁸ and Marx and Freud were heatedly discussed at the Institute for Social Research (where Sinzheimer occasionally lectured). In addition, he became “life-long friends” with “a group of distinguished people [who] worked in that [i.e., Sinzheimer’s] office” – including Fraenkel, as well as Franz L. Neumann and Otto Kahn Freund – all of whom similarly served as Sinzheimer’s *Referendar* and later became prominent leftist scholars.⁹ One can imagine Morgenthau amid this group of talented young lawyers heatedly discussing the future of Weimar democracy and its special status as a political and social order transitionally situated, or so Sinzheimer and his left-wing students believed, “between capitalism and socialism.”¹⁰ A 1934 letter from Morgenthau to Sinzheimer, who as a famous Jewish socialist was forced to flee Germany for Holland, offers a vivid statement of the significance of Sinzheimer’s mentorship. After explaining to Sinzheimer that he had failed to respond to his letters only because they never made it to Geneva, where Morgenthau spent his first years in exile, he notes:

[h]ad I been so inclined, I could have broken off written relations, but never the inner relations existing between us, which can never be severed. For I was not only your employee. I also breathed the intellectual and moral air that emanated from you. Giving up the ties that such an influence creates would mean giving up my own personality.¹¹

Morgenthau’s autobiographical comments also reveal what lessons he later drew from the tragic figure of Sinzheimer, who spent his best years trying to exploit the new legal possibilities for social reform provided by the Weimar Constitution, before being forced to leave his homeland. Morgenthau retrospectively observed that the courtroom battles they fought together for the economically and socially disadvantaged “were marginal to the crucial issues with which society had to come to terms. What was decisive was