

Chapter Three

Carl Schmitt and Hans Morgenthau: Realism and Beyond*

William E. Scheuerman

We now know that the young Hans Morgenthau was involved in an intense “hidden dialogue” with Carl Schmitt, twentieth-century Germany’s most significant right-wing authoritarian political thinker.¹ In his earliest Weimar-era writings, Morgenthau responded to Schmitt’s influential reflections on the “concept of the political”:

Morgenthau’s assertion that Schmitt plagiarized core arguments from his 1929 dissertation is fundamentally accurate. As Morgenthau noted, his dissertation was partly intended as a critical response to a 1927 essay by Schmitt in which the right-wing theorist had defined “the political” as constituting a fundamentally distinct and independent sphere of activity, existing alongside alternative modes of human activity. Morality concerns the problem of good and bad, aesthetics is occupied with the distinction between beautiful and ugly, economics is preoccupied with profitability and unprofitability, whereas only politics concerns the contrast between what Schmitt famously described as “friend and foe.”² The young Morgenthau astutely diagnosed the conceptual Achilles’ heel of this initial definition of politics: Schmitt’s exposition misleadingly implied that political activity was limited to a pre-given set of objects or concerns, thereby obscuring the possibility that any conceivable sphere of activity could take on “political” qualities. In its stead, Morgenthau proposed that politics be described as “a characteristic, quality, or coloration which any substance can take on...”³ The distinctive attribute of political activity was captured best by focusing on “the degree of intensity” of the conflict at hand. Although drawing their substantive concerns from any of

a host of (moral, aesthetic, and economic) arenas of human activity, identifiably political concerns were those in which a high “degree of intensity” of conflict had surfaced.⁴ Although admitting the difficulty of determining at what specific juncture a particular conflict had become “intense” and thus genuinely political, Morgenthau’s 1929 dissertation insisted that his alternative “model of intensity” offered a superior way of capturing the distinctive traits of political life. Schmitt seemed to agree. As Morgenthau noted in a 1978 autobiographical essay for the journal *Society*, Schmitt not only wrote him a complimentary letter praising his conceptual innovations, but also “changed the second [1932] edition of the *Concept of the Political* in the light of the new propositions of my thesis without lifting the veil of anonymity from their author.”⁵ In fact, Schmitt’s 1932 study tends to drop misleading imagery of politics as a distinct or separate sphere, instead following Morgenthau’s conceptualization of politics as concerning conflicts characterized by intense enmity.⁶

Morgenthau’s 1978 comments remain surprising. Why would a German-Jewish refugee who went on to become the leading light of postwar Realist international relations theory proudly proclaim that he had significantly influenced Schmitt, whom Morgenthau himself described, not unfairly, as having aspired to become the “Streicher of the legal profession” in 1930s Germany?⁷ Why not let the sleeping dogs lie, especially in light of Schmitt’s poor treatment of the young Morgenthau, as bitterly recounted in his reflections, as well as Schmitt’s enthusiastic embrace of Nazism? To be sure, Morgenthau did wait many decades before bringing this intellectual connection to an English-speaking audience probably unfamiliar anyhow with Schmitt and his nefarious quest to become the ‘crown jurist’ of National Socialism.⁸

Let me suggest one explanation for Morgenthau’s concession: Morgenthau reminded his audience that he influenced Schmitt’s reflections on the “concept of the political” because it represents the tip of the iceberg in terms of the deep intellectual ties

between the two authors. Although I leave it to others to speculate on Morgenthau's psychological motives, an element of "bad conscience" characterizes his 1978 comments. Just as Schmitt borrowed significantly from Morgenthau's ideas about the nature of politics without bothering to acknowledge his intellectual debts to the young Jewish doctoral student, Morgenthau was inspired by Schmitt's substantive views about international relations without openly conceding how much he owed to Schmitt. In fact, some of Morgenthau's most provocative observations about American foreign policy build directly on Schmitt's reflections. In developing his famous critique of American liberalism, Morgenthau clearly builds on a number of Schmitt's criticisms. Unfortunately, his arguments also reproduce Schmitt's blind spots (I). As a number of commentators have noted, Morgenthau's postwar writings are tension-ridden. While insisting on the necessity of establishing a world-state alone fully capable of minimizing the destructive potential of contemporary warfare, Morgenthau's Realist intellectual instincts forced him to decry even relatively modest attempts at global governance. With growing theoretical and intellectual acumen, Morgenthau tackled the horrible prospect of nuclear war. Yet deeply rooted intellectual presuppositions prevented him from undertaking the necessary theoretical and political revisions to Realism. Consequently, his attempts to influence the study of international relations as well as U.S. policy makers always remained no less tension-ridden. Morgenthau's hidden dialogue with Schmitt can help us understand the origins of these tensions (II).

Thus far, international relations scholars --in contrast to some political theorists -- have shown limited interest in Morgenthau's intellectual ties to Schmitt. What could arcane theoretical disputes about the "concept of the political" possibly have to do with the empirical realities of world politics? As I hope to show in this essay, the substantive overlap between the two authors is extensive. A proper understanding of that overlap is indispensable if we are to make sense of Morgenthau's idiosyncratic brand of Realism.

1. Schmitt and Morgenthau on the Pathologies of American Power

Morgenthau's 1929 dissertation, *The International Judicial System: Its Essence and Its Limits*, offers a clear response to Schmitt's ideas about the "concept of the political." But it also refers to key arguments of one of Schmitt's most important early books on international relations, the 1926 *Key Questions of the League of Nations [Die Kernfrage des Voelkerbundes]*, where Schmitt offered an initial formulation of his far-reaching critique not only of twentieth-century liberal visions of international law, but also the United States and the predominant role, Schmitt argued, it played in the destruction of superior preliberal models of international relations.⁹ Morgenthau was clearly familiar with Schmitt's core arguments about both international politics and the special role played by the United States on the global scene. Some evidence suggests that he followed the development of Schmitt's ideas about international law well into the postwar era.¹⁰ At the very least, a number of striking parallels can be found between Schmitt's criticisms of U.S. foreign policy and Morgenthau's.

The Westphalian State System as Historical Nostalgia

Schmitt offers a deeply nostalgic vision of the early Westphalian system and traditional early modern European model of international law, according to which the moralistic and legalistic liberalism of the United States—as represented most clearly by the figure of Woodrow Wilson—played a decisive role in the destruction of a fundamentally pacific European-dominated state system. After the religious wars, Schmitt claims, the European continental powers successfully defused explosive political tensions by "de-theologizing" and neutralizing international relations.¹¹ As clearly

articulated in the political and legal theory of Thomas Hobbes, legality and morality were strictly separated. Traditional religiously inspired notions of just war were jettisoned for a formalistic conception of warfare, according to which every state possesses an equal chance to wage war as it deems appropriate. A crucial implication of Hobbes' critique of traditional natural law and his famous postulate that only the sovereign state offers an adequate framework for a shared definition of justice is that

[i]n contrast to religious, civil, and factional wars, wars between states cannot be measured with the yardstick of truth and justice. War between states is neither just nor unjust; it is an affair of state and as such does not have to be just...What is therefore essential to international law, which governs relations between states, is law that does not distinguish between just and unjust, a nondiscriminatory concept of war.¹²

In this account, the only (formal) prerequisites of the right to wage war consisted of minimal features of sovereignty (e.g., a centralized monopoly on legitimate coercion) which all modern states potentially possess. Because of the resulting "neutralization" of international strife, warfare lost the horrible traits it had acquired during the 1500s and 1600s, when Protestant and Catholics competed to see who could most brutally slaughter their religious opponents. 'Only by means of the full elimination of the question of the justa causa [just cause]...did the taming of European war succeed.'¹³ To be sure, the non-European world functioned as a bloody site where European powers were permitted to vent their rivalries; Schmitt concedes that non-Europeans rarely benefited from the civilizational achievements of post-1648 European international law.¹⁴ Yet at least in Europe, a "neutral" conception of the right to wage war put to rest the self-destructive dynamic of moralistic civil war and internecine religious conflict. In contrast to

the brutalities of the preceding religious wars, warfare on the European continent subsequently took the form of a highly ritualized duel, conducted according to strict mores and norms of behavior, between equal (sovereign state) partners. In the ritualized wars of early modern Europe where states could no longer plausibly make universally binding claims to the religious or moral superiority of their cause, both combatants and non-combatants were spared the worst horrors of political violence. The specter of more-or-less permanent civil war, in which self-righteous crusaders insisted on the universal validity of their moral ideas before unleashing unmitigated horrors against their enemies, was abandoned in favour of relatively civilized wars between equal sovereign states.

The early modern system rested on two pillars, however, both of which have crumbled in the twentieth century: the balance of powers, which in turn only functioned effectively because of a far-reaching consensus concerning basic ideals and values shared by all European states. When the state system embraced non-European powers as equals and thereby tolerated heterogeneous elements, this original cultural and ideological consensus collapsed. In Schmitt's argument, any effective system of supra-national legal coordination must rest on a substantial dose of homogeneity, which he saw—at least before 1933—as potentially taking many different forms.¹⁵ In the literal sense of the term, a fair and effective system of international law remains impossible because no such homogeneity can be found on the world scene. Amid the profound moral, political, and ethnic antagonisms of our deeply divided globe, any system of “international” law in reality necessarily rests on the specific political vocabulary and legal ideals of a particular set of power interests.

Morgenthau offers a remarkably similar nostalgic portrayal of the trajectory of modern international law. For both writers, the history of modern international relations is essentially a Verfallsgeschichte [story of decay], in which a fundamentally sound early modern European-dominated system is destroyed by a far more explosive (liberal)

twentieth-century model no longer based on the balance of powers and a shared European cultural background. Although Morgenthau tends to translate Schmitt's German theoretical terminology (e.g., the "political") into language more acceptable to English-speaking readers ("power politics"), he not only endorses the broad outlines of Schmitt's account, but also reproduces many of its specific claims as well.¹⁶

Morgenthau's readers will encounter similar comments about Hobbes, the positive role of the balance of power and European moral consensus in the traditional state system, relations between the European and non-European worlds, and the profound limitations of international law and "world public opinion" in the contemporary era.¹⁷ Even Morgenthau's famous quest to show that Realism is by no means immoral or amoral in its fundamental orientation mirrors Schmitt's use of Hobbes: the security of the sovereign state is a fundamental presupposition of moral experience, and to the extent that the pursuit of the "national interest" is indispensable to security, its pursuit makes an indispensable contribution to the realization of moral life.¹⁸

Unfortunately, Morgenthau probably reproduces the weaknesses of Schmitt's original rendition of the argument as well. Despite their shared enthusiasm for Hobbes, both authors have a hard time both defending Hobbes and simultaneously making sense of the fact that the English thinker was such a significant influence on the legal positivism so abhorred by both of them. Both conveniently overlook historical evidence suggesting that their nostalgia for a "golden age" of pre-liberal international relations is misplaced. Between 1648 and 1914, terrible violence not only characterized relations between European and non-European states, but oftentimes relations between and among European states as well.¹⁹ Both risk simplifying the complex nature of the nexus between morality and legality that emerged in European legal thought and, to some extent, within European legal reality in the early modern period. Legality was not "cleansed" of morality, as the argument sometimes misleadingly suggests. Instead a

new and more nuanced --but indisputably normative -- understanding of the relationship between morality and legality emerged which allowed for the possibility of avoiding crude conflations of traditional morality and legality. Indeed, that new understanding --whose outlines emerged most clearly during the European Enlightenment--clearly partook of "universalistic" moral and political ideals. As Juergen Habermas has repeatedly pointed out in arguing against Schmitt, universalistic normative ideals not only provide powerful conceptual ammunition against a crude moralization of legality, but they are probably indispensable if we are to defend a plausible distinction between law and morals in the first place.²⁰ For Schmitt, however, modern universalism is the source of the brutalities of twentieth-century world affairs, rather than a foundation for precisely that delineation of morals from law that he considers essential to the greatest achievements of the European state system. To be sure, Morgenthau is more appreciative of the role universalistic normative ideals played in humanizing the pre-1914 European state system.²¹ Yet like Schmitt, he ultimately is reluctant to concede that such ideals can play, under the guise of modern liberal notions of international law, a fundamentally positive role. In accordance with Schmitt, Morgenthau repeatedly depicts the twentieth-century international legal offspring of Enlightenment universalism --most prominently: the League of Nations and United Nations--in a negative light.

1.a. American Liberalism and the Origins of Total War

Of course, Schmitt and Morgenthau are by no means the only analysts of modern international relations to offer a nostalgic gloss on the pre-twentieth-century European state system. Nor are they the only writers who trace decisive breaks to the traditional order to Wilsonian liberalism. However, many features of Morgenthau's

account arguably build directly on the idiosyncrasies of Schmitt's. Both authors attribute many of the brutalities of twentieth-century global politics to the increased power of the United States. Of course, in Morgenthau's account, in striking contrast to Schmitt's, Nazi Germany plays a key role in the demolition of the traditional balance of power; Morgenthau dates the demolition of the traditional state system to 1933.²² However, his polemical discussions of the pathologies of U.S. foreign policy often mirror Schmitt's tendency to emphasize the central role played by the United States in undermining an otherwise sound European-dominated system.

The universalistic aspirations of American liberalism engender a remoralization of international relations that paves the way for the ills of total war. Although neither Schmitt nor Morgenthau neglects the technological sources of total war, both underline the importance of the revival of the traditionalistic garb of "just war," now dressed in the fashionable form of American liberalism and the messianic Wilsonian fantasy of a war "to end all wars." American liberalism generates a self-righteous brand of pseudo-humanitarianism blind to the terrible dangers of state violence waged under the banner of a (fictional) singular humanity. Waged in the name of humanity, 'liberal wars, far from fulfilling the liberal hopes [to end war], even brought about the very evils which they were supposed to destroy. Far from being the "last wars," they were only the forerunners and pioneers of wars more destructive and extensive" than pre-liberal ones.'²³ Those who oppose the American-dominated liberal international system constitute pariahs and criminals deserving of harsh punishment.²⁴ Blurring any meaningful distinction between legality and morality, those who dare to oppose the American-dominated vision of an international legal community are demonized and accordingly subjected to terrible brutalities. Warfare reverts to the horrors of the pre-Westphalian era, when foreign foes were more than mere dueling partners: they were deemed morally inferior and potentially subhuman in character. Even worse: modern technology heightens the

destructive capacity of modern warfare and makes unprecedented acts of violence relatively commonplace. The apex of liberal self-righteousness is the view that liberal wars no longer even deserve to be described as “wars.” Although their technological prowess permits liberal states to kill innocent civilians in any corner of the globe, they purportedly undertake “police action” (or, in more recent parlance, humanitarian intervention) for the sake of enforcing international law, whereas only outcast (non-liberal) states who dare to challenge liberal hegemony continue to engage in the barbarism of war. The exclusionary character of liberal universalism is thereby taken to its logical conclusion: liberal international law requires what Schmitt describes as a discriminatory concept of war.²⁵ In stark contrast to the Hobbesian traits of the early Westphalian system, sovereign states no longer possess equal or “neutral” rights to wage war. As Morgenthau observes, liberals criticize autocratic and totalitarian wars, yet ‘on the other hand, [when] the use of arms is intended to bring the blessings of liberalism to peoples not yet enjoying them or to protect them against despotic aggression, the just end may justify means otherwise condemned.’²⁶

This vision of liberal international law rests on a false universalism because self-interested liberal great powers (e.g., the United States and Great Britain) skillfully exploit it in order to pursue their specific power interests. Liberal international law is not, in fact, representative of a mythical “world public opinion”: it reflects specifically Anglo-American political and economic ideals. Following Schmitt, Morgenthau believes that one can still detect an instinctual sense for “the political” (or, in Morgenthau’s terminology, sound pursuit of “power politics” and the “national interest”) behind the moralistic and legalistic rhetoric of American foreign policy.²⁷ American global influence rests, Schmitt similarly argues, on an uncritical acceptance by the world community of a set of inherently imperialistic liberal categories that dutifully reflect U.S. (and sometimes Anglo-American) political and economic interests.²⁸

To be sure, Morgenthau modifies core elements of this story. Most significantly, his writings offer a vastly more subtle appreciation of the political culture and intellectual traditions of his adopted country: like so many of the German-Jewish refugee intellectuals who made their homes in the United States, Morgenthau soon came to embrace, though by no means uncritically, many features of the U.S. political tradition.²⁹ In this spirit, he struggled to identify indigenous voices who might be interpreted as having anticipated some of his own theoretical and political proclivities: Morgenthau delighted in holding up the examples of Alexander Hamilton and Abraham Lincoln as exemplars of authentically political thinkers. Yet Morgenthau's harsh assessment of contemporary American foreign policy means that he typically is forced to locate these more attractive elements of the American political tradition in the distant past. He complements his Schmitt-inspired nostalgia for the early modern European system with a nostalgic portrayal of the early years of the American republic and yet another Verfallsgeschichte.³⁰ *In the Defense of the National Interest*³⁰ argues that the earliest years of U.S. foreign policy alone endorsed the verities of realist doctrine, whereas decadent "ideological" and "utopian" modes of foreign policy superceded this brief foundational shining moment of realist intellectual hegemony.³¹

Morgenthau's critical account of the Schmittian bugbear of liberal universalism is also more plausible than the original version. Rejecting Schmitt's open-ended broadsides against universalism (or, in Schmitt's own polemical terminology, 'normativism'), Morgenthau offers a more convincing analysis of how modern political ideologies absorbed the universalistic pretensions of the European past while simultaneously disfiguring their worthwhile elements. Noble moral and cultural ideals claiming universal validity are replaced by disturbingly parochial political visions (for example, an American version of liberalism derived from special conditions of nineteenth-century U.S. political development) that inherit the claim to universal validity

found in traditional moral ideals and aspirations. The immediate result is secularized 'political religions' claiming universal validity but insensitive to their own time and place-based limitations. The rise of political religions not only contributes to the destruction of the shared moral and cultural consensus of European society, but it also proves inconsistent with the complicated operations of elite-dominated diplomacy and balance of power politics. Reminiscent of Schmitt, Morgenthau envisions the post-1945 era as a "global civil war" pitting two political religions claiming universal validity (American liberalism and Soviet communism) in a life-or death struggle. Given the rigid dynamics of a bipolar world, the most attractive features of the traditional state system undergo dramatic decay: the 'two superpowers and their allies and satellites face each other like two fighters in a short and narrow lane.'³² Here as well, Morgenthau shares Schmitt's anxieties about the decline of European civilization, while simultaneously amending them: whereas Schmitt clearly sees American and Soviet domination of Europe as an unmitigated disaster, Morgenthau tends to emphasize the cultural and political commonalities of European and American civilization. In this manner, the United States is reinterpreted, pace Schmitt, as a defender of an embattled European civilization.³³

For both authors, the history of American foreign policy rests on a reckless dialectic of "interventionism and isolationism;" both argue that these seemingly disparate features of American foreign policy really represent two sides of the same coin.³⁴ They also offer a number of shared observations about the specific operations of American power. For example, Schmitt considers the non-intervention treaty to be one of the most creative U.S. innovations in modern international law. The nonintervention treaties pursued by the United States in Latin and South America are in fact intervention treaties since the United States maintains the right to intervene if certain vaguely defined conditions --"public order," "the protection of life, liberty, and property," etc.—are not violated.

In the case of all of these nonintervention agreements it is important to note that due to the indeterminacy of their concepts the hegemonic power decides at its discretion and thereby places the political existence of the controlled state in its own hands.³⁵

The de facto military and political prowess of the United States means that in most cases it unilaterally determines the meaning of the vague legal clauses at hand. Morgenthau not only refers expressly to Schmitt's analysis of the nonintervention treaty,³⁶ but he similarly underscores its significance as an instrument of U.S. power. Not the main body of the general norms of the nonintervention treaty, but rather its declaration of a series of exceptions to the rules of nonintervention allows us best to understand the real state of affairs between the great powers and lesser states. Like Schmitt, Morgenthau asserts the 'impossibility of developing a coherent [legal] doctrine of nonintervention.'³⁷ Power politics, not the legal niceties of treaty makers, ultimately determines the dynamics of intervention and nonintervention. Great powers in pursuit of their national interests will also be forced to undermine the express spirit of nonintervention treaties.

1.b. Back to the Monroe Doctrine?

Despite his nostalgia for the Westphalian state system, Schmitt early on grasped that its days were numbered. Anticipating contemporary debates about globalization, Schmitt quickly reached the conclusion that the nation-state was no longer sufficiently attuned to the regulatory and military challenges of contemporary political life.³⁸ But if ambitious liberal models of international law were unacceptable, what alternative political forms presented themselves as plausible alternatives? Schmitt's answer to this question,

which he formulated between the 1930s and '50s, was clear enough: regionalization. Regionally based political and economic blocs, dominated by a single hegemonic power (in Schmitt's terminology from the Nazi period, a Reich), was both the best way to avoid the pathologies of universalistic liberal international law and ensure effective state action. During the Nazi period, Schmitt's preference for regional political and economic blocs meshed neatly with Nazi imperialism: Schmitt enthusiastically sketched out the conceptual foundations for a Nazi-dominated European 'greater region' [Grossraum] as an alternative to the twin universalistic sisters of Anglo-American liberalism and Soviet communism.

The most provocative facet of this argument is Schmitt's attempt to employ a selective reading of U.S. political experience as a justification for a German-dominated European 'greater region'. According to Schmitt, it was the Americans who in fact uncovered the organizational and normative virtues of regionalization; Wilsonian liberalism, it turns out, represents an abandonment of earlier more sound U.S. ideas about international politics. Even Schmitt's early Weimar-era writings exhibit a fascination with the manner in which the Monroe Doctrine functioned as an instrument of U.S. domination in Latin and South America. During the nineteenth century, Schmitt argues, the Monroe Doctrine possessed an authentically "political" character, based on its acknowledgement of the life-or-death existential threat posed to the fledgling American Republic by European monarchies. In stark contrast to the League of Nations and other ambitious liberal visions of supranational legal order, the Monroe Doctrine helped assure a necessary dose of homogeneity within the Americas: it allowed the United States to intervene in order to guarantee that a particular (liberal democratic) vision of political and social order would be established by all American states.³⁹ In a revealing 1932 essay, Schmitt can barely restrain his enthusiasm for the 'astonishing political achievement' of the Monroe Doctrine: the Monroe Doctrine is of 'world-historical

significance', a true manifestation of a 'real and great imperialism.'⁴⁰ The Americans have taught the rest of the world that the essence of effective power is the manipulation of elastic legal clauses (e.g., the exception clauses of nonintervention treaties) for the sake of swallowing up small and medium-sized states whose sovereignty is unlikely to survive the rapid economic, technological, and military transformations of the present era. In conjunction with its manipulation of the legal instruments of the nonintervention treaty, the Americans have brilliantly employed the Monroe Doctrine to unveil the future face of international relations: the globe is destined to be carved up into a small group of 'huge complexes', encompassing entire continents or more, in which a single political entity exercises de facto sovereignty over its neighbors.⁴¹ The United States' de facto domination of the Americas represents the future of international relations everywhere. Schmitt enviously observes in 1932 that 'as a German' examining the U.S. usage of the Monroe Doctrine 'I can only have the feeling of being a beggar in rags talking about the riches and valuables of strangers.'⁴²

In 1939, Schmitt directly appealed to the Monroe Doctrine in order to suggest how Germany might successfully join the ranks of the world's great powers. Schmitt argued that the Nazis would have to develop their own version of the Monroe Doctrine in order to establish a European 'huge complex' destined to swallow up small and medium-size European states by subjecting them to de facto Nazi control. In a clever polemical move, Schmitt claimed that Nazi Germany could learn from the foreign policy of the United States in order to offer a viable alternative to Wilsonian liberalism: American liberalism could be fought with its own impressive arsenal of weapons. Of course, the Nazis would have to discard the "decadent" liberal democratic ideals with which the Americans had always packaged the Monroe Doctrine. According to Schmitt, not until the conclusion of the nineteenth century did the Americans recklessly subordinate the sensible core ideas of the Monroe Doctrine to the dangerous missionary impulses of

universalistic liberalism. An identifiably Nazi “greater region” would do well to embrace the Monroe Doctrine’s original geopolitical ideas, which presciently anticipated the twentieth-century trends towards regionalization by insisting that “alien” powers had no legitimate political role in the Americas. Just as the U.S. in the nineteenth century had monopolized the task of warding off “alien” (e.g., European powers), so too did it now fall to Nazi Germany to “protect” Europe from “alien” (American liberalism and Soviet communism) political threats.⁴³

For self-evident reasons, Morgenthau was always hesitant to acknowledge his dependence on Schmitt’s interpretation of the Monroe Doctrine. Of course, he never endorsed Schmitt’s cynical appeal to the Monroe Doctrine as a justification for Nazi imperialism, and when he expressly refers to Nazi ideas of a “greater region,” he does so with obvious disdain.⁴⁴ Nonetheless, Morgenthau’s discussion of the Monroe Doctrine bears Schmitt’s mark. Notwithstanding his nostalgia for the Westphalian system, Morgenthau, like Schmitt, Morgenthau early on presciently acknowledged the “obsolescence of the nation-state” while also rejecting ambitious liberal models of international law.⁴⁵ For him as well, the Monroe Doctrine suggested the possibility of a possible alternative.

In his 1929 dissertation, Morgenthau offers a detailed discussion of the Monroe Doctrine in which he acknowledges Schmitt’s view of its centrality to U.S. foreign policy, but similarly underscores its authentically “political” traits. As Schmitt had similarly argued, the Monroe Doctrine is a ‘political act’ in the truest sense of the term and thus an expression of its fundamental ‘life interests.’⁴⁶ This argument reappears in many of Morgenthau’s subsequent writings on U.S. foreign policy, which repeatedly present the Monroe Doctrine as a paradigmatic exemplar of genuine power politics. Morgenthau seems no less preoccupied with the significance of the Monroe Doctrine than Schmitt. For both authors, the genuinely political character of the Monroe Doctrine makes it one

of the rare highpoints in the otherwise unfortunate history of American foreign policy, which too often has succumbed to naïve and ultimately irresponsible legalistic and moralistic impulses. In this spirit, *In Defense of the National Interest* begins with what amounts to a eulogy for the Monroe Doctrine: Morgenthau commences his depressing Verfallsgeschichte by praising the farsightedness of early U.S. political leaders, and the Monroe Doctrine serves him as a symbol of what once was right about American foreign policy: '[t]he Monroe Doctrine and the policies implementing it express that permanent national interest of the United States in the Western Hemisphere.'⁴⁷ Echoing Schmitt, Morgenthau occasionally suggests that attempts at the end of the nineteenth century to extend the scope of the Monroe Doctrine beyond the Americas represented an abandonment of its original function as a sound instrument of hemispheric power politics; since McKinley, attempts to apply it have been polluted by inappropriately ambitious universalistic models of political organization.⁴⁸ Finally, Morgenthau draws the same tight link between the U.S. employment of nonintervention treaties and the Monroe Doctrine, essentially accepting Schmitt's view that they represent two sides of the same coin of U.S. regional domination in the Americas.⁴⁹

Even more striking is the manner in which Morgenthau again reproduces the blind spots of Schmitt's arguments. Neither author seems particularly concerned with the high price paid by Latin and South American peoples for U.S. regional hegemony; on the contrary, both consider the Monroe Doctrine a fundamentally positive political achievement. Schmitt's celebration of what both authors describe as 'imperialism' is hardly surprising given his basic normative commitments. However, Morgenthau's avowed commitment to basic liberal democratic political ideals meshes less well with his embrace of U.S. hegemony in the Americas.⁵⁰ In addition, the argument suffers from a number of historical oversights. The dominant power in South America until the end of the nineteenth century was probably Great Britain, not the United States. In contrast to

the Schmitt-Morgenthau interpretation, American foreign policy in the nineteenth century hardly resisted all European intervention, and the United States was not always the dominant power in some sort of American 'greater region'. The scope of the Monroe Doctrine was indeed extended beyond its original geopolitical boundaries at the end of the nineteenth century, but the driving forces in that expansion was very different from those described by Schmitt and Morgenthau. As reinterpreted by Theodore Roosevelt and defenders of U.S. expansionism in the Far East, the Monroe Doctrine was given a Social Darwinian and racist gloss, as captured concisely by Senator Albert J. Beveridge, who piously declared in 1900 that 'God has made us adepts in government that we may administer government among savage and senile peoples.'⁵¹ The move to transform the Monroe Doctrine into an instrument of global domination in fact rested on missionary impulses in U.S. political consciousness, but pace Schmitt and Morgenthau as well, it is misleading to attribute those impulses to moralistic liberalism or liberal legal 'normativism'.

A decisive difference separates Morgenthau's discussion of the Monroe Doctrine from Schmitt's, however. Whereas Schmitt argues that the Monroe Doctrine offers a constructive game plan for establishing new modes of regionally based imperialism, Morgenthau is openly skeptical of proposals for revitalizing the Monroe Doctrine as the core of U.S. foreign policy. According to Morgenthau's postwar writings, this is precisely what isolationists and neo-isolationists want: they naively believe that the United States can remove itself from non-American affairs while comfortably maintaining its hegemony in Latin and South America. For Morgenthau, such proposals fail to tackle the novel political challenges of the mid-twentieth century. They ignore the profound threats posed to the United States by extra-American powers, and naively continue to consider the hemispheric isolation of the United States a source of security. They also ignore the fact that the Monroe Doctrine always required a rough balance of power in Europe which

preventing any single European power from gaining too much power and thereby potentially threatening U.S. hegemony in the Americas. If such a balance of power were to be preserved after 1945, he repeatedly argues, the United States would have to be actively involved on the European theater of the cold war –in order to prevent Soviet domination of Europe and ultimately a Soviet threat to U.S. domination of the Americas.⁵²

As Morgenthau quickly recognized after 1945, the advent of high-speed air warfare⁵³ and atomic weapons rendered any easy return to the Monroe Doctrine as the key feature of U.S. foreign policy anachronistic. The Monroe Doctrine remained a model of sound realist foreign policy thinking, but no object of blind veneration.

2. Schmitt and Morgenthau vs.the World State

Morgenthau's postwar writings pursue the dual goal of reshaping the study of international relations and influencing U.S. foreign policy. Unfortunately, a striking tension plagues his intellectual and political project. After 1945, Morgenthau emphasized the obsolescence of the nation-state as well as the necessity of a world state in order to guarantee lasting peace. As Morgenthau stated with characteristic bluntness, 'there is no shirking the conclusion that international peace cannot be permanent without a world state.'⁵⁴ Yet he stubbornly continued to underscore the utopian character of most attempts to create ambitious models of supranational governance: *Politics Among Nations* notes 'that international peace through the transformation of the present society of sovereign nations into a world state is unattainable under the moral, social, and political conditions' of our times.⁵⁵ Morgenthau's most influential postwar work then proceeds to pillory both the League of Nations and United Nations. Ours is, indeed, a

tragic situation: the dominant moral traditions of the West condemn the brutality of war; war can only be effectively avoided by a world state; aspirations for a world state remain unrealizable and, indeed, potentially dangerous if allowed to join ideological forces with moralistic and legalistic liberalism.

By the late 1950s, Morgenthau presciently grasped that the real possibility of thermonuclear destruction implied a qualitative and not simply quantitative shift in the character of modern warfare. The risky quest for power among nation-states might now rapidly culminate in a war that would decimate the human species. The means of warfare might easily undermine the ends (the “national interest”) since atomic warfare would not only destroy the modern state system but humankind itself. ‘Because they render meaningful military victory impossible, nuclear weapons fundamentally alter the traditional relationship between force and foreign policy.’⁵⁶ If atomic weapons were left under the control of individual nation-states, ‘their increase and improvement increase the danger. Thus, it becomes the task of all governments to make themselves superfluous as the guardians of their respective territorial frontiers by transferring their nuclear weapons to an agency whose powers are commensurate with the worldwide destructive potentialities of these weapons.’⁵⁷ The only solution, Morgenthau posited, was ultimately the establishment of a fundamentally novel global order in which control over weapons of mass destruction would be taken out of the hands of individual nation-states.

As Campbell Craig has observed, Morgenthau was able ‘to glimpse –not to design, to glimpse—a new, that is, unforeseen political process whereby a condition of anarchy evolves in a new Leviathan; a world state that comes into being merely because of the prospect of a nuclear war of all against all.’⁵⁸ Morgenthau only glimpsed the necessity of a novel global order, however, because it went against the grain of so many of the basic tenets of his thinking. Most important, it clashed fundamentally with the

Realist assumption of the fundamentally 'anarchic character of the international environment.'⁵⁹ Nonetheless, a striking shift characterizes his writings in the 1960s and early 1970s. Although remaining steadfast in his view that the establishment of a world government remained remote, he now often emphasized the moral imperative of its establishment at least as much as the pathologies of the dominant attempts to move in this direction (e.g. the United Nations). In Craig's view, Morgenthau reluctantly began to concede that 'the prospect of thermonuclear war had caused the utopian and realistic approaches' in international relations to merge.⁶⁰

Unfortunately, Morgenthau never succeeded in undertaking the necessary theoretical synthesis. In his late writings, aphoristic existential anxieties about the fate of humankind exist uneasily alongside his familiar battery of criticisms of universalism and liberal international law.⁶¹ His policy advice to U.S. foreign policy makers oscillates uneasily between nostalgic appeals to salvage old-fashioned elite-dominated diplomacy and increasingly ambitious proposals for supranational governance. Morgenthau's debts to Schmitt play a significant role in his unsuccessful attempt to overcome the basic tensions of his thinking. It would be mistaken to attribute Morgenthau's embrace of the necessity of the world state and simultaneous emphasis on its impracticality exclusively to his 'tragic vision of politics'.⁶² Morgenthau was never able to think creatively enough about the possibility of a novel global order because he carried too much Schmittian intellectual baggage.

To be sure, Morgenthau himself was partly aware of the underlying tensions in his theory. He consequently struggles to describe paths by which we might move closer to a world state and avoid the horrors of contemporary warfare, while also resisting the false temptations of Wilsonian liberalism. In this vein, he repeatedly underscores the virtues of traditional diplomacy: 'If the world state is unattainable in our world, yet indispensable for the survival of that world, it is necessary to create the conditions under

which it will not be impossible... This method of establishing the preconditions for permanent peace we call peace through accommodation. Its instrument is diplomacy.¹⁶³

Morgenthau then offers his famous 'plea for the restoration of diplomacy to the eminence of its high days in old Europe, when its coolness of head and its clarity of sight prevailed over a public opinion not yet made unruly by mass ideologies...'.⁶⁴

Revealingly, this nostalgic vision of diplomacy builds directly on his Schmitt-inspired account of the "golden age" of the early modern European-dominated international system. What the contemporary world urgently needs, Morgenthau asserts, is a revival of elite-dominated diplomacy and, to the extent still possible, traditional balance of power thinking. These constitutive features of the Westphalian system, it seems, provide the best immediate protection against the specter of nuclear war.

As many commentators have noted, however, Morgenthau's recourse to traditional diplomacy seems at best naïve and at worst misguided. Having established the far-reaching structural roots of its decline, Morgenthau is able to offer little more than a desperate plea for its reestablishment without really explaining how traditional diplomacy might thrive in a political environment fundamentally hostile to its operations. Characteristically, Morgenthau also downplays the least appealing implications of his nostalgia. As James Speer has pointedly observed, a return to traditional diplomacy would necessitate 'the repeal of the nineteenth and twentieth centuries, which have witnessed the rise of popular sovereignty and ideology.'⁶⁵ In fact, when describing the pathologies of contemporary foreign policy making, Morgenthau underscores the eminently democratic "vices" of publicity and majority decision making.⁶⁶ He also worries about excessive legislative controls on U.S. foreign policy making in the United States – a surprising concern given the awesome expansion of executive prerogative during the twentieth century.⁶⁷ Despite his best efforts, Morgenthau never really succeeds in explaining how a revival of traditional diplomacy might be synthesized with modern

democracy. In Schmitt's nostalgic account of the Westphalian system, its anti-democratic elements generate no theoretical tension since Schmitt is hostile to modern notions of popular sovereignty anyhow. For Morgenthau, however, dependence on this nostalgia produces profound theoretical difficulties since he rejects Schmitt's authoritarian political preferences. One immediate result of this tension are the increasingly shrill criticisms Morgenthau levels at individual U.S. policy makers: at times he seems to believe that it is simply the (democratically based) intellectual and professional mediocrity of American leaders that constitutes a central source of the pathologies of U.S. foreign policy. No wonder that Morgenthau repeatedly cites Tocqueville's conservative arguments about the tensions between modern democracy and foreign policy making.⁶⁸ If only the United States could recapture the farsighted wisdom of the pre-democratic statesmen of early modern Europe!

A second argumentative strategy points to Morgenthau's Weimar background as well. Although he rejects potentially reckless attempts, including Schmitt's, to rely on the Monroe Doctrine as an immediate guide for reconstructing the international system, Morgenthau similarly exhibits some sympathy for political and economic regionalization, under the auspices of a regional great power and resting on some form of homogeneity. In Schmittian terms: supranational organization can only work when 1) it rests on a far-reaching set of shared values and commitments and 2) acknowledges the dominant position of one state or group of states. *In Defense of the National Interest* thus argues that Americans should drop their hostility to the traditional notion of a 'sphere of influence': 'it is indeed obvious...from the political history of the human race that the balance of power and concomitant spheres of influence are of the very essence of international politics.'⁶⁹ A division of the globe by means of a 'negotiated settlement' into distinct spheres of influence, each dominated by one of the superpowers, offers the best possibility for peace and stability between the 'free world' and its Russian rival.⁷⁰ Even

Morgenthau's most creative proposals for reordering the global system are haunted by the ghosts of Weimar. The ambitious *Purpose of American Politics* – where Morgenthau hints clearly at the possibility of merging Realist and “utopian” views of international relations-- advocates a supranational ‘free-world association’, under U.S. leadership, whose main achievement would be to take the first step towards breaking the increasingly explosive chain between statehood and the monopoly on violence by placing the control of nuclear weapons under supranational control. Only by such a ‘free association of [liberal democratic] states’ would America ‘share its purpose with its associates.’⁷¹ Significantly, this free-world association would be ‘more intimate’ than traditional alliances or ad hoc alignments, and it would rest on a modicum of ideological homogeneity since it would consist of like-minded states sharing the American commitment to ‘equality in freedom.’⁷² Only then might the United States successfully ‘use its predominant power on behalf of a purpose that would be not only its own but also one in which the non-Communist world could recognize its distinct character and in whose achievement it could experience a common destiny.’⁷³ In contradistinction to doomed universalistic models of supranational organization, this prospect is more than a vague dream because ‘the interests that tie the United States to its European allies are more profound, more comprehensive, and more stable than the interests upon which alliances have traditionally been based...[T]hese interests enclose the national identities of all its members within a common civilization threatened by an alien and oppressive social system.’⁷⁴

Morgenthau always conceded that even the most ambitious regionalist models of supranational organization were at best steppingstones to a world state that alone could ensure lasting peace. Thus, his regionalist theoretical tendencies ultimately leave the riddle of his postwar theory unsolved: in the face of nuclear extinction, we desperately require a world state, yet such a state remains at best a distant possibility.

Unfortunately, Morgenthau builds on another facet of Schmitt's thinking that ultimately prevents him from moving beyond this dead end. Morgenthau does not simply consider a world-state unrealistic given present conditions. Like Schmitt, he also tends to consider it unattractive to the extent that it would unduly violate the "autonomy of the political." Morgenthau is generally less blunt than Schmitt in advancing this second fundamentally normative argument against ambitious modes of supranational organization. Nonetheless, it remains a crucial source of the underlying tensions of his brand of Realism, as well as a central reason why he seems so hesitant to reconsider its core tenets despite his acknowledgement of the fundamental novelty of the nuclear era.

In the 1932 version of *The Concept of the Political*, rewritten with Morgenthau's conceptual innovations in mind, Schmitt writes:

A world in which the possibility of war is utterly eliminated, a completely pacified globe, would be a world without the distinction of friend and enemy and hence a world without politics. It is conceivable that such a world might contain many interesting antitheses and contrasts, competitions and intrigues of every kind, but there would not be a meaningful antithesis whereby men could be required to sacrifice life, authorized to shed blood, and kill other human beings...The phenomenon of the political can be understood only in the context of the ever present possibility of the friend-and-enemy grouping....⁷⁵

'[R]ejecting the illusory security of a status quo of comfort and ease', while 'holding in low esteem a world of mere entertainment and the mere capacity to be interesting', Schmitt attacks ambitious liberal democratic proposals for supranational rule⁷⁶ A world without "intense" conflicts, characterized by the possibility of killing the 'enemy', would

devalue and potentially trivialize human existence. It also rebels against human nature: Schmitt directly links his 'concept of political' to a pessimistic version of philosophical anthropology.

Morgenthau shares Schmitt's concern with defending the 'autonomy of the political', and similarly delights in attacking liberalism for 'depreciating' the centrality of the struggle for power to human existence. To the extent that he also links his interpretation of the concept of the political to the fundamentals of human nature, any attempt to rid the universe of "the political" similarly must seem not only unrealistic but also undesirable.⁷⁷ By necessity, ambitious models of transnational government potentially represent an assault on human nature because they would rid human experience of those conflicts that are most intense and thus authentically political in nature. To be sure, Morgenthau stresses that the struggle for power can manifest itself in many arenas of human activity. Presumably, even a world state would provide opportunities for such struggles. Yet he also suggests that interstate conflicts – characterized by what Schmitt dubbed the 'real possibility of killing' the enemy—represent the most authentic expression of "the political." Within the terms of Morgenthau's own 'model of intensity', the attempt to eliminate interstate violence by means of ambitious transnational governance necessarily undermines the rightful place in human existence of political conflict. Not surprisingly, Morgenthau, like Schmitt, repeatedly criticizes novel experiments with global political decision making –most important: the League of Nations and United Nations—as misguided and characteristically liberal attempts to supplant "the political" with inappropriate forms of legalism and moralism. Such experiments constitute a denial of the pluralistic character of human experience since they subject a legitimate and necessary form of human action to the laws of competing modes of action.

Unfortunately, the resulting theoretical paradox for Morgenthau is obvious enough: the world state is an existential necessity, but the last century's most impressive quests to achieve a new transnational order are ultimately anti-political and thus intrinsically flawed. No wonder Morgenthau struggles unsuccessfully to show how we might move from interstate anarchy to the world state we purportedly need so desperately.

Interestingly, Morgenthau is dismissive of proposals for pacific federations or confederations of states. This is, of course, crucial because many if not most modern cosmopolitan theorists –including Immanuel Kant –have advocated something along these lines rather than a centralized world state.⁷⁸ This hostility is motored by the assumption –probably borrowed from Schmitt—that international law typically proves at best of limited value and more often counterproductive when resting on heterogeneous political, cultural, and ideological elements.⁷⁹ Morgenthau never really takes such proposals seriously for a second reason as well: they conflict with his ideas about sovereignty. At times clearly echoing Schmitt's interpretation of sovereignty as the capacity to act effectively during a crisis or emergency,⁸⁰ Morgenthau writes that in a democracy, the exercise of sovereignty 'lies dormant in normal times, barely visible through the network of constitutional arrangements and legal rules.' Democratic systems 'purposefully obscured the problem of sovereignty and glossed over the need for a definition location of the sovereign power' with legalistic and constitutional niceties masking the real nature of power.⁸¹ 'Yet in times of crisis and war that ultimately responsibility asserts itself', when 'a man or a group of men' – Morgenthau's examples for his primarily American audience are Lincoln, Wilson, and the two Roosevelts - exercise supreme and fundamentally undivided power. Sovereignty cannot, in fact, 'be vested in the people as a whole, who, of course, as such cannot act.'⁸² If states are to act 'in times of crisis', undivided and supreme sovereignty must be placed in the hands

of some individual or group of individuals. Because indivisibility and supremacy are constitutive features of sovereignty, and every effective state requires sovereignty, proposals for supranational government that fall short of a centralized world-state are intrinsically incoherent:

We have heard it said time and again that we must “surrender part of our sovereignty” to an international organization for the sake of world peace, that we must “share” our sovereignty with such an organization, that the latter would have a certain “limited sovereignty” while we would keep the substance of it...We shall endeavor to show that the conception of a divisible sovereignty is contrary to logic and politically unfeasible...⁸³

Not only is divisible – or in present-day parlance, ‘differentiated - sovereignty inconsistent with the very nature of the state, but any supranational political and legal institutions committed to realizing confused ideas about sovereignty are destined to founder in the face of war or dire crisis. For Morgenthau, the League of Nations’ failure to act in the face of Japanese and German aggression always represented paradigmatic examples of such failures.⁸⁴

Morgenthau’s definition of sovereignty, like its Schmittian inspiration, suffers from a misleadingly one-sided focus on the emergency or crisis; its personalistic emphasis on the necessity of decision making by ‘one man or group of men’, along with its dismissal of the notion of popular sovereignty, inadvertently reproduces Schmitt’s anti-democratic views. Here as well, we encounter Morgenthau’s deeply rooted nostalgia for early modern Europe: his conception of sovereignty builds upon ideas about state sovereignty that emerged in European Absolutism. Morgenthau probably fails to appreciate how ideas of popular sovereignty break with such traditional notions of state sovereignty.⁸⁵ Not surprisingly, he misses how the American Republic reshaped traditional ideas of

sovereignty, interpreting the U.S. founding in overly traditional terms and misleadingly suggesting that all the Philadelphia Convention 'did was to replace one constitution, one sovereignty, one state with another one, best resting upon the same pre-existing community.'⁸⁶ In this interpretation, the United States takes the form of a fundamentally conventional (European-style) nation-state resting on a far-reaching set of shared values and cultural commitments.⁸⁷

Speer has countered Morgenthau's definition of sovereignty by responding that:

[i]f sovereignty means supremacy, supremacy as to what?

If it means supremacy as to all things, then sovereignty

logically is present only in the totalitarian state. If it means less

than all things, then sovereignty logically is present where

there is supremacy as to only some things. And if this is true, then

one government can be supreme as to some things while another

government is supreme as to some other things.⁸⁸

For this reason, Morgenthau's hostility to alternative forms of relatively decentralized supranational organization rests on sand: 'It is the essence of the federal principle that different things are done by different governments...each government acting within its own sphere of authority upon the same individual human beings.'⁸⁹ Thus, effective state action is by no means inconsistent with any of a host of complex forms of complex or differentiated sovereignty potentially realizable at the transnational level. Pace Morgenthau (and Schmitt), various proposals for federal or co-federal supranational government might very well prove consistent with sovereignty.

If the only conceivable form of transnational rule, in the final instance, is a centralized world state outfitted with indivisible and supreme sovereign power, no wonder that Morgenthau ultimately remained so worried about its potential dangers.

Most cosmopolitan theorists might easily endorse his concern that a world state can only be achieved by illegitimate force and consequently might entail nothing more than ‘a totalitarian monster resting on feet of clay’ forced to ‘maintain complete discipline and loyalty.’⁹⁰

To Morgenthau’s enormous credit, his refreshing awareness of the illusions of great power political pretences often made him suitably critical of the pathologies of American foreign policy.⁹¹ He also came to see that human wellbeing in the nuclear era required a fundamental break with traditional forms of international organization. Unfortunately, deeply rooted intellectual proclivities –many of which emerged in his complex “hidden dialogue” with Carl Schmitt—prevented Morgenthau from seriously considering possible alternatives to a centralized world state.

3. Conclusion

A number of Morgenthau’s most influential ideas about U.S. foreign policy emerged in the context of a “hidden dialogue” with Carl Schmitt. Those ideas played a crucial role in Morgenthau’s ultimately unsuccessful attempt to synthesize Realism with what he typically dismissed as “utopianism” in international relations. But are there any contemporary lessons we might draw from this story?

Once again, we are witnessing a revival of ambitious and arguably utopian models of transnational political and legal order.⁹² And once again, we also see a resurgence of Realist theory that delights in poking holes in the ideas of “legalistic” cosmopolitanism.⁹³ To Morgenthau’s credit, he understood that we would need to move beyond this theoretical divide and consider the possibility of fruitfully merging cosmopolitan and Realist ideas about international relations. His own failure to do so

also underscores the profound difficulties inherent in the attempt to do so. In particular, it is unlikely that any normatively desirable cosmopolitan vision will be able to borrow much if anything from the political thought of Carl Schmitt; Morgenthau's own failures stem at least in part from his unwieldy Schmittian intellectual baggage. Nonetheless, Morgenthau's intellectual challenge needs to be taken seriously. For those of us, like Morgenthau, willing to acknowledge the potential misuse of universalistic political rhetoric as a fig leaf for great power imperialism, while also recognizing the necessity of fundamentally reordering the international system in order to guarantee human survival, a cosmopolitanism able to integrate the best insights of Realism remains a desirable intellectual aspiration.

REFERENCES

* I am grateful to all the participants at the conference on "Reconsidering Realism: The Legacy of Hans Morgenthau in International Relations," University of Wales, October 9-11, but especially to Michael Williams for words of encouragement, and Chris Brown, Ned Lebow, Michael Cox, and Michael Smith for astute criticisms of my argument.

¹ The term 'hidden dialogue' comes from Heinrich Meier, *Carl Schmitt and Leo Strauss: The Hidden Dialogue* (Chicago: University of Chicago, 1985). This essay builds on Chapter Nine of my *Carl Schmitt: The End of Law* (Lanham: Rowman & Littlefield, 1999), 225-52 ['Another Hidden Dialogue –Carl Schmitt and Hans Morgenthau'], where I offer a detailed discussion of Morgenthau's dialogue with Schmitt about 'the concept of the political.' There is now a small cottage industry on the nexus between Schmitt and Morgenthau. See Christoph Frei, *Hans J. Morgenthau: An Intellectual Biography* (Baton Rouge: Louisiana State University Press, 2001), 118-19, 123-32; Jan Willem Honig, "Totalitarianism and Realism: Hans Morgenthau's German Years," in Benjamin Frankel (ed), *Roots of Realism* (London: Frank Cass, 1996), 283-313; Martti Koskenniemi, *The Gentle Civilizer of Nations: The Rise and Fall of International Law 1870-1960* (Cambridge: Cambridge University Press, 2001), 413-509; Kans-Karl Pichler, "The Godfathers of 'Truth': Max Weber and Carl Schmitt in Morgenthau's Theory of Power Politics" *Review of International Studies*, 24 (1997), 185-200; Michael C. Williams, "Why Ideas Matter in International Relations: Hans Morgenthau, Classical Realism, and the Moral Construction of Power Politics" *International Organization*, 58 (2004), 633-65.

² Carl Schmitt, 'Der Begriff des Politischen', *Archiv fuer Sozialwissenschaft und Sozialpolitik*, 58 (1927), 1-33.

³ Hans J. Morgenthau, *Die internationale Rechtspflege, ihr Wesen und ihre Grenzen* (Leipzig: Universitaetsverlag von Noske, 1929), 67.

⁴ Morgenthau, *Die internationale Rechtspflege*, 69.

⁵ Hans J. Morgenthau, 'An Intellectual Autobiography', *Society*, 15 (1978), 67-8.

⁶ Schmitt, *The Concept of the Political*, trans. George Schwab (New Brunswick: Rutgers University Press, 1976 [1932]). For a detailed discussion, see Scheuerman, *Carl Schmitt*, 224-42.

⁷ Morgenthau, 'An Intellectual Autobiography', 68.

⁸ Morgenthau also clearly possessed a significant dose of intellectual integrity. Perhaps he simply thought it best to call a spade a spade and let others sort out the complexities of his intellectual relationship to Schmitt.

⁹ Carl Schmitt, *Die Kernfrage des Voelkerbundes* (Berlin: Duemmlers, 1926). Schmitt discusses the United States' role in global affairs at many junctures. For an overview, see Scheuerman, *Carl Schmitt*, 141-74. For the specific references to Schmitt's 1926 book in Morgenthau's dissertation, see Morgenthau, *Die internationale Rechtspflege* 3, 88, 116. Schmitt's impact on Morgenthau --here and elsewhere-- is undoubtedly greater than these meager citations suggest, however. In fact, Morgenthau is terribly ungenerous when crediting other authors. Although his dissertation is clearly meant as a response to Schmitt's "concept of the political" (and he even admits as much in subsequent years), for example, he never bothers to cite Schmitt's 1927 article! In a similar fashion, his postwar writings rarely mention debts to other realist authors (most importantly, E.H. Carr).

¹⁰ Because many of Morgenthau's most important works lack traditional academic citations altogether, or at best include only a select bibliography, it is difficult to prove that he was necessarily familiar with many of Schmitt's specific writings on international relations. However, it is telling that Morgenthau refers in 1978 to Schmitt's 'voluminous scholarly production, excelling in originality and brilliance and shedding light, for instance upon the nature of guerrilla warfare and the new aspects of [post World War II] international law' (Morgenthau, 'An Intellectual Autobiography', 67). The comment about guerrilla warfare is surely a reference to Schmitt's *Theorie des Partisanen. Zwischenbemerkung zum Begriff des Politischen* (Berlin: Duncker & Humblot, 1963); 'the new aspects of international law' likely refers to Schmitt's most important contribution to

the study of international relations, *Der Nomos der Erde* (Berlin: Duncker & Humblot, 1950). The latter work builds directly on Schmitt's writings from the 1930s and 1940s. It is also telling that Morgenthau's biographer points out that his reading lists from the late 1920s and early 1930s mention only a few authors represented by several book titles. Carl Schmitt is among them (Frei, *Hans J. Morgenthau*, 108.).

¹¹ This nostalgic argument is developed in many texts, but the most cogent statement of it is found in Schmitt's *Der Nomos der Erde*.

¹² Carl Schmitt, *The Leviathan in the State Theory of Thomas Hobbes* (Westport: Greenwood, 1996 [1936]), 47-48.

¹³ Schmitt, *Der Nomos der Erde*, 136-37.

¹⁴ Schmitt, *Der Nomos der Erde*, 62-65, 101; compare Hans J. Morgenthau, *Politics Among Nations: The Struggle for Power and Peace*, 2nd edn. (Chicago: University of Chicago Press, 1954), 331-34.

¹⁵ Schmitt, *Die Kernfrage des Voelkerbundes*, 63-79. After 1933, homogeneity was conceived in ethnic and racial terms.

¹⁶ The clearest statement of this nostalgic account is probably found in Morgenthau, *Politics Among Nations*.

¹⁷ On Hobbes, see Hans J. Morgenthau, *In Defense of the National Interest* (New York: Alfred Knopf, 1951), 34; 'The Problem of the National Interest'[1952], in his *The Decline of Democratic Politics* (Chicago: University of Chicago Press, 1958), 79-112; *Politics Among Nations*, 469; on the balance of power and decline of European moral consensus, see also *Politics Among Nations*, 155-204; *Defense of the National Interest*, 40-68; on the limits of global public opinion, international morality, and international law, see *Politics Among Nations*, 205-310. For a useful discussion of the status of moral arguments in Morgenthau's realism, see A.J.H. Murray, "The Moral Politics of Hans

Morgenthau,” *Review of Politics*, 58 (1996), 81-108. Also, Robert Jervis, “Hans Morgenthau, Realism, and the Scientific Study of International Politics” *Social Research*, 61 (1994), 867-69.

¹⁸ Morgenthau, *Defense of the National Interest*, 33-39.

¹⁹ I realize that the conventional military historiography shares this nostalgia for the period after 1648. Yet one should remain skeptical of it. For example, in the Seven Years War (1756-63), Prussia lost 180,000 soldiers and one ninth of the country’s entire population; Frederick conceded that his subjects ‘had nothing left except the miserable rags which covered their nakedness’ (cited in M.S. Anderson, *War and Society in Europe of the Old Regime, 1689-1789* [Guernsey: Sutton, 1988], 180). Armies still spread terrible illnesses: in 1771, soldiers returning from battles with Turks on the south Russian steppe spread a plague that killed 60,000 in Moscow, 14,000 in Kiev, and 10,000 in the Ukraine (Anderson, *War and Society in Europe*, 180). I criticize Schmitt’s nostalgic interpretation of early modern international law –as well as his oftentimes crude anti-Americanism-- in ‘International Law as Historical Myth’, *Constellations*, 11 (2004), 537-50.

²⁰ For the theoretical argument, see Juergen Habermas, *Die Einbeziehung des Anderen* (Frankfurt: Suhrkamp), 226-36. Also, Habermas, *Der Gespaltene Westen* (Frankfurt: Suhrkamp, 2004), 187-93.

²¹ Morgenthau, *Politics Among Nations*, 205-48.

²² Morgenthau, *Politics Among Nations*, 200. Schmitt, in contrast, interprets the Nazis as trying to build on the best elements of the traditional international system while warding off its real foe –the United States. Despite this significant difference, Morgenthau’s argumentation often follows Schmitt’s.

²³ Hans J. Morgenthau, *Scientific Man vs. Power Politics* (Chicago: University of Chicago Press, 1946), 67.

²⁴ See Morgenthau's skeptical comments about the liberal idea that 'police actions' must be undertaken against 'criminal aggressors' in the international arena (*In Defense of the National Interest*, 94-5). See also Morgenthau, 'The Nuremberg Trial,' in *The Decline of Democratic Politics*, 377-79.

²⁵ This concept is already hinted at in Schmitt's Weimar writings, but it is formulated most bluntly in his *Die Wendung zum diskriminierenden Kriegsbegriff* (Munich: Duncker & Humblot, 1938).

²⁶ Morgenthau, *Scientific Man vs. Power Politics*, 51. On total war as well as the revival of just war thinking, see *Politics Among Nations*, 217-20, 230-34, 343-62.

²⁷ This is a common theme in Morgenthau's reflections on U.S. foreign policy. See, for example, *Defense of the National Interest*, 4-7.

²⁸ Schmitt, "Voelkerrechtliche Formen des modernen Imperialismus" [1932], in *Positionen und Begriffe im Kampf mit Weimar-Genf-Versailles* (Hamburg: Hanseatische Verlagsanstalt, 1940), 179.

²⁹ This is perhaps most clear in Hans J. Morgenthau, *The Purpose of American Politics* (New York: Alfred Knopf, 1960). On this issue, Morgenthau is reminiscent of (his friend) Hannah Arendt, who similarly combines a critical account of present-day U.S. politics with a nostalgic portrayal of his foundations (see her *On Revolution* [New York: Penguin, 1963]).

³⁰ As we will see, even this feature of his thinking mirrors Schmitt, who also argued – though in a much less developed manner than Morgenthau—that Wilsonian liberalism represented a betrayal of superior "political" notions of international relations influential in the nineteenth century.

-
- ³¹ Morgenthau, *Defense of the National Interest*, 3-39.
- ³² Morgenthau, *Defense of the National Interest*, 50; *Politics Among Nations*, 205-48, 311-40.
- ³³ Morgenthau, *Purpose of American Politics*, 177-81.
- ³⁴ Morgenthau, *Defense of the National Interest*, 91-138; Schmitt, *Nomos der Erde*, 270-85.
- ³⁵ Schmitt, "Das Rheinland als Objekt internationaler Politik" [1925] in *Positionen und Begriffe im Kampf mit Weimar-Genf-Versailles*, 29. For a discussion, see Scheuerman, *Carl Schmitt*, 142-52.
- ³⁶ Morgenthau, *Die internationale Rechtspflege*, 116; Morgenthau, 'Understanding American Foreign Policy' [1959], in his *The Impasse of American Foreign Policy* (Chicago: University of Chicago Press, 1962), 6-7.
- ³⁷ Hans J. Morgenthau, *A New Foreign Policy for the United States* (New York: Praeger, 1969), 117. See also *Politics Among Nations*, 295-96.
- ³⁸ This rather prescient feature of Schmitt's thinking has been neglected in the English-language secondary literature. For an exception, see Jan-Werner Mueller, *A Dangerous Mind: Carl Schmitt in Postwar European Thought* (New Haven: Yale University Press, 2003).
- ³⁹ Schmitt, *Die Kernfrage des Voelkerbundes*, 72-73.
- ⁴⁰ Schmitt, above n. 28, 169, 178.
- ⁴¹ Schmitt, *Die Kernfrage des Voelkerbundes*, 11; 'Voelkerrechtliche Probleme im Rheingebiet' [1928], in his *Positionen und Begriffe*, 107.
- ⁴² Schmitt, *Positionen und Begriffe*, 179.
- ⁴³ Schmitt, *Voelkerrechtliche Grossraumordnung mit Interventionsgebot fuer raumfremde Maechte* (Berlin: Deutscher Rechtsverlag, 1939).

⁴⁴ Morgenthau, "The National Socialist Doctrine of World Organization" [1941], in *The Decline of Democratic Politics*, 241-46.

⁴⁵ Morgenthau, "An Intellectual Autobiography", vii.

⁴⁶ Morgenthau, *Die internationale Rechtspflege*, 107-9.

⁴⁷ Morgenthau, *In Defense of the National Interest*, 5.

⁴⁸ In his discussion of the Monroe Doctrine, Morgenthau notes that 'moralism' has plagued our extra-hemispheric expansion 'since McKinley', *In Defense of the National Interest*, 6.

⁴⁹ Morgenthau, 'Understanding American Foreign Policy', in *The Impasse of American Foreign Policy*, 6-7.

⁵⁰ Schmitt, 'Voelkerrechtliche Formen des modernen Imperialismus'; Morgenthau, *Politics Among Nations*, 53.

⁵¹ Cited in Morgenthau, *Politics Among Nations*, 44. For a useful critical discussion of many of the misleading ideas about the Monroe Doctrine posited by Schmitt (and, unfortunately, Morgenthau as well), see Lothar Gruchmann, *Nationalsozialistische Grossraumordnung. Die Konstruktion einer deutschen 'Monroe-Doktrin'* (Stuttgart: Deutsche Verlagsanstalt, 1962).

⁵² See, for example, Morgenthau, *Defense of the National Interest*, 28-33, 128-38; Morgenthau, *Purpose of American Politics*, 110-11, 117-127, 182-83.

⁵³ Morgenthau, *Defense of the National Interest*, 53-57, where he follows Schmitt in underscoring the manner in which air warfare "compresses space and time.

⁵⁴ Morgenthau, *Politics Among Nations*, 481.

⁵⁵ Morgenthau, *Politics Among Nations*, 505.

⁵⁶ Jervis, 'Hans Morgenthau', 862.

⁵⁷ Morgenthau, *Purpose of American Politics*, 308. See also Morgenthau, 'The Four Paradoxes of Nuclear Strategy', *American Political Science Review*, 58 (1964), 23-35; and Morgenthau, *Science: Servant or Master?* (New York: New American Library, 1972). His reading of Karl Jaspers' *The Future of Mankind* probably helped stimulate his reflections on the novel implications of atomic warfare (Morgenthau, 'Review of Jaspers, The Future of Mankind,' *Saturday Review*, February 18, 1961, 18-19.

⁵⁸ Campbell Craig, *Glimmer of a New Leviathan: Total War in the Realism of Niebuhr, Morgenthau, and Waltz* (New York: Columbia University Press, 2003), xvii. See also James Speer, 'Hans Morgenthau and the World State', *World Politics*, 20 (1968), 207-27.

⁵⁹ Richard Ned Lebow, *The Tragic Vision of Politics: Ethics, Interests and Orders* (Cambridge: Cambridge University Press, 2003), 14.

⁶⁰ Craig, *Glimmer of a New Leviathan*, 109.

⁶¹ See especially Morgenthau, *Science: Servant or Master?*

⁶² See Lebow, *Tragic Vision of Politics*. Lebow downplays the impact of Schmitt on Morgenthau. On the Weberian background to Morgenthau, see Michael Joseph Smith, *Realist Thought from Weber to Kissinger* (Baton Rouge: Louisiana State University Press, 1986). Weber, of course, shared a similar sense of tragedy.

⁶³ Morgenthau, *Politics Among Nations*, 505.

⁶⁴ Speer, 'Hans Morgenthau and the World State', 215.

⁶⁵ Speer, 'Hans Morgenthau and the World State', 222.

⁶⁶ Morgenthau, *Politics Among Nations*, 519-26.

⁶⁷ Morgenthau, *Purpose of American Politics*, 274-92, 311-41. This theme is even more pronounced in *Defense of the National Interest*. On the U.S. executive and foreign

policy, see Louis Fisher, *Presidential War Power* (Lawrence: University of Kansas Press, 1995).

⁶⁸ Morgenthau, *Politics Among Nations*, 134-35.

⁶⁹ Morgenthau, *Defense of the National Interest*, 154-55.

⁷⁰ Morgenthau, *Defense of the National Interest*, 139-58.

⁷¹ Morgenthau, *Purpose of American Politics*, 309.

⁷² Morgenthau, *Purpose of American Politics*, 308-9.

⁷³ Morgenthau, *Purpose of American Politics*, 178.

⁷⁴ Morgenthau, *Purpose of American Politics*, 181. In fairness to Morgenthau, some of his regionalist considerations –most important: his fascinating discussion of early moves towards European integration—hardly fit the Schmittian mode (see Morgenthau, *Politics Among Nations*, 496-500; for a discussion, see Lebow, *Tragic Vision of Politics*, 244-46).

⁷⁵ Schmitt, *Concept of the Political*, 35.

⁷⁶ Meier, *Carl Schmitt and Leo Strauss*, 41. Meier sees overlap between Schmitt and Strauss on this point.

⁷⁷ See, for example, Morgenthau, *Politics Among Nations*, 25-34. Here, as at so many other junctures, his theory is both prescriptive and descriptive. Politics possesses an unchanging essence, namely the fact that conflicts can take an ‘intense’ coloration. Yet political actors also are normatively obliged to understand “the political” and abide by its laws.

⁷⁸ See Mathias-Lutz Bachmann and Jim Bohman (ed.), *Perpetual Peace: Essays on Kant’s Cosmopolitan Ideal* (Cambridge: MIT Press, 1997).

⁷⁹ Where federations have worked successfully, Morgenthau argues, they rest on a ‘pre-existing community’ based on extensive shared ties (*Politics Among Nations*, 483-4).

Like many contemporary Euro-skeptics, Morgenthau is skeptical that novel supranational

legal and political institutions can play a decisive role in initiating and cementing such common ties. As in the case of Schmitt, this insistence on the important of homogeneity is a convenient argument because it often takes a conceptually imprecise form. It is, however, clearly directed against formalistic and proceduralistic models of legal coordination and decision-making.

⁸⁰ Schmitt defines sovereignty as 'he who decides on the exception.'*(Political Theology: Four Chapters on the Concept of Sovereignty,* trans. George Schwab [Cambridge: MIT Press, 1985 (1922)], 5). Note also the personalistic overtones of Schmitt's definition, which Morgenthau reproduces.

⁸¹ Morgenthau, *Politics Among Nations*, 305.

⁸² Morgenthau, *Politics Among Nations*, 306.

⁸³ Morgenthau, *Politics Among Nations*, 303.

⁸⁴ Morgenthau, *Politics Among Nations*, 441.

⁸⁵ On confused ideas about sovereignty in recent political thought, and especially the problematic tendency to conflate ideas of state and popular sovereignty, see especially Ingeborg Maus, *Zur Aufklärung der Demokratietheorie* (Frankfurt: Suhrkamp, 1992).

⁸⁶ Morgenthau, *Politics Among Nations*, 485. For an alternative view, see Arendt, *On Revolution*.

⁸⁷ A more complex view appears, however, in his later writings (see *Purpose of American Politics*).

⁸⁸ Speer, 'Hans Morgenthau and the World State', 226.

⁸⁹ Speer, 'Hans Morgenthau and the World State', 226.

⁹⁰ Morgenthau, *Politics Among Nations*, 482.

⁹¹ Lebow, *Tragic Vision of Politics*, 310-59.

⁹² For example, see David Held, *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance* (Stanford: Stanford University Press, 1995).

⁹³ Danilo Zolo, *Cosmopolis: Prospects for World Community* (Cambridge: Polity Press, 1997).