

The Concept of the Political

Hans J. Morgenthau

Edited by

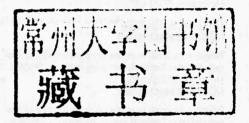
Hartmut Behr

and

Felix Rösch

Translated by

Maeva Vidal



palgrave macmillan



Part I, Annex 1, Annex 2, Selection and editorial matter © Hartmut Behr and Felix Rösch 2012
Part II © Hans J. Morgenthau 1933
Translation © Maeva Vidal 2012
Foreword © Michael C. Williams 2012

All rights reserved. No reproduction, copy or transmission of this publication may be made without written permission.

No portion of this publication may be reproduced, copied or transmitted save with written permission or in accordance with the provisions of the Copyright, Designs and Patents Act 1988, or under the terms of any licence permitting limited copying issued by the Copyright Licensing Agency, Saffron House, 6–10 Kirby Street, London EC1N 8TS.

Any person who does any unauthorized act in relation to this publication may be liable to criminal prosecution and civil claims for damages.

The authors have asserted their rights to be identified as the authors of this work in accordance with the Copyright, Designs and Patents Act 1988.

First published 2012 by PALGRAVE MACMILLAN

Palgrave Macmillan in the UK is an imprint of Macmillan Publishers Limited, registered in England, company number 785998, of Houndmills, Basingstoke, Hampshire RG21 6XS.

Palgrave Macmillan in the US is a division of St Martin's Press LLC, 175 Fifth Avenue, New York, NY 10010.

Palgrave Macmillan is the global academic imprint of the above companies and has companies and representatives throughout the world.

Palgrave® and Macmillan® are registered trademarks in the United States, the United Kingdom, Europe and other countries

ISBN: 978-0-230-36308-3 hardback ISBN: 978-0-230-36309-0 paperback

This book is printed on paper suitable for recycling and made from fully managed and sustained forest sources. Logging, pulping and manufacturing processes are expected to conform to the environmental regulations of the country of origin.

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

A catalog record for this book is available from the Library of Congress.

10 9 8 7 6 5 4 3 2 1 21 20 19 18 17 16 15 14 13 12

Printed and bound in Great Britain by CPI Antony Rowe, Chippenham and Eastbourne Palgrave Studies in International Relations Series

General Editors:

Knud Erik Jørgensen, Department of Political Science, University of Aarhus, Denmark

Audie Klotz, Department of Political Science, Maxwell School of Citizenship and Public Affairs, Syracuse University, USA

Palgrave Studies in International Relations, produced in association with the ECPR Standing Group for International Relations, will provide students and scholars with the best theoretically-informed scholarship on the global issues of our time. Edited by Knud Erik Jørgensen and Audie Klotz, this new book series will comprise cutting-edge monographs and edited collections which bridge schools of thought and cross the boundaries of conventional fields of study.

Titles include:

Pami Aalto, Vilho Harle and Sami Moisio (*editors*) INTERNATIONAL STUDIES Interdisciplinary Approaches

Mathias Albert, Lars-Erik Cederman and Alexander Wendt (editors) NEW SYSTEMS THEORIES OF WORLD POLITICS

Barry Buzan and Ana Gonzalez-Pelaez (editors)
INTERNATIONAL SOCIETY AND THE MIDDLE EAST
English School Theory at the Regional Level

Toni Erskine and Richard Ned Lebow (editors) TRAGEDY IN INTERNATIONAL RELATIONS

Geir Hønneland BORDERLAND RUSSIANS Identity, Narrative and International Relations

Oliver Kessler, Rodney Bruce Hall, Cecelia Lynch and Nicholas G. Onuf (editors) ON RULES, POLITICS AND KNOWLEDGE Friedrich Kratochwil, International Relations, and Domestic Affairs

Pierre P. Lizee A WHOLE NEW WORLD Reinventing International Studies for the Post-Western World

Hans J. Morgenthau, Hartmut Behr and Felix Rösch THE CONCEPT OF THE POLITICAL

Cornelia Navari (editor) THEORISING INTERNATIONAL SOCIETY English School Methods

DIR Peters
CONSTRAINED BALANCING: THE EU'S SECURITY POLICY

Simon F. Reich GLOBAL NORMS, AMERICAN SPONSORSHIP AND THE EMERGING PATTERNS OF WORLD POLITICS

Robbie Shilliam GERMAN THOUGHT AND INTERNATIONAL RELATIONS The Rise and Fall of a Liberal Project

Daniela Tepe
THE MYTH ABOUT GLOBAL CIVIL SOCIETY
Domestic Politics to Ban Landmines

Daniel C. Thomas (*editor*) MAKING EU FOREIGN POLICY National Preferences, European Norms and Common Policies

Rens van Munster SECURITIZING IMMIGRATION The Politics of Risk in the EU

Palgrave Studies In International Relations Series Series Standing Order ISBN 978-0-230-20063-0 (hardback) 978-0-230-24115-2 (paperback)

You can receive future titles in this series as they are published by placing a standing order. Please contact your bookseller or, in case of difficulty, write to us at the address below with your name and address, the title of the series and one of the ISBNs quoted above.

Customer Services Department, Macmillan Distribution Ltd, Houndmills, Basingstoke, Hampshire RG21 6XS, England

Acknowledgments

This edition, like any academic work, would not have been possible without the help of many colleagues and friends, as well as understanding and supportive family members. Instead of producing and presenting a list of these through enumeration, we took the liberty of mentioning those most significant, academically speaking, in their relation to this project and do apologize at the same time for having (certainly) forgotten someone. Although this most often appears at the end of acknowledgments, we feel we should rather mention at the beginning that the editors are responsible for any errors that may appear in this tome. This edition most challengingly involved much meticulous research into another author's annotations and footnotes; the systematization and interpretation of archival material, including letters, slips and paper clippings, postcards, handwritten notes and so on; and the translation of a complex linguistic mélange resulting from a native German speaker (i.e., Hans J. Morgenthau), educated and writing in the 1930s still in the sometimes convoluted language of German Staatsrechtslehre, writing this monograph in French as a second language, being here and now translated into English some 80 years later. The potential for mistakes, distortions, limitations of translatability and the like is evidently enormous, and since we undertook this project responsibility for any errors is exclusively ours.

The initial idea for this project, studying Hans J. Morgenthau's early works and preparing an English translation of *La notion du "politique"*, emerged in a discussion with Michael Williams a few years ago in 2006. It is therefore only appropriate – and we are very grateful – that Michael has written the Foreword for this edition and given us many helpful comments on the translation and introduction. Since the mention of colleagues and friends in this acknowledgment does not reflect the relevance of support and advice but rather the genealogy of how this project developed, we are next grateful to Susanna and Matthew Morgenthau, Hans J. Morgenthau's daughter and son and holders of the copyright of their father's work, as their granting us the copyright for *La notion du "politique"* was, of course,

a most crucial condition for this edition to be made possible. We wish to thank them both deeply for their support of this project, for their advice and for their cooperation. Also, the thoughtful care and attention with which they discussed and dealt with their father's work and legacy were impressive and very instructive. Next in the genealogy is Maeva Vidal from Ottawa, who provided an excellent translation of Morgenthau's book, putting great effort and consideration into questions of translation and translatability of individual terminologies and sentences. In this context we are grateful to the research committee of the Faculty of Humanities and Social Sciences at Newcastle University for their provision of a translation grant. With particular regard to the production of the translation we also want to express our deep thanks to Christoph Frei for his review of the translation and his many helpful suggestions, especially regarding legal terminologies.

Next in the genealogy of this project – increasingly devoted as the project approached finalization – is Christina M. Brian and her team at Palgrave Macmillan. It was great to experience this kind of professional, passionate, and reliable cooperation; many thanks - we are looking forward to future projects. Concerning the publication of this edition, we would also like to thank Knud Erik Jørgensen and Audie Klotz as the editors of Palgrave Macmillan's Studies in International Relations for their recruitment of this book into the series. Much material used here for the introduction and the translation is from the Morgenthau archive at the Law Library, Library of Congress, Washington DC. We wish to thank the archive staff for their very helpful role in accessing the material and sifting through some 200 boxes of paper slips, photocopies, letters and so on. Last, but not least, our deep thanks go to the panelists and attendants primarily Seán Molloy, Michael Williams, Vibeke Schou Tjalve, and Oliver Jütersonke - of our workshop on Morgenthau's concept of the political at the Annual Convention of the British International Studies Association (BISA) held at Manchester in April 2011 for their discussions and for sharing important knowledge and material on Morgenthau.

> Hartmut Behr and Felix Rösch Newcastle upon Tyne, UK

Foreword

The recent resurgence of interest in the political thought of Hans J. Morgenthau has been striking. After decades of neglect or near caricature by both his supporters and his critics, Morgenthau has once again emerged as a serious figure within international political theory. At one level, this revival clearly has its roots in political events, particularly the ways that the "muscular Wilsonianism" of American foreign policy in the early years of the new millennium made political realism seem to many an attractive intellectual inspiration, a powerful rhetorical resource, and even a compelling political alternative. Yet the interest in Morgenthau and realism more broadly clearly goes well beyond the response to a particular set of political circumstances, and it should in no way be identified narrowly with the advocacy of a return to power politics, or even with a general injunction toward restraint and prudence in foreign policy. For this interest also reflects a deeper desire to explore the ways that a broader appreciation of "classical" realism can be used to reconnect the field of International Relations to wider traditions of political thought from which it has often become estranged, and to examine its relationship to contemporary developments in International Relations theory. In these forms, the nuanced and sophisticated visions of Morgenthau and realism that have appeared of late are part of a broad and ambitious agenda that seeks in various ways to revivify international political theory by reopening the stale and often sterile narratives about its evolution, and by bringing past and present thinking and traditional and critical theorizing into a fruitful dialogue.

This translation of *La notion du "politique" et la théorie des différends internationaux* is in this context both timely and significant. While this text, with its overt focus on legal debates of the early twentieth century, may sometimes seem far distant from many versions of realism and much of International Relations theory today, it in fact expresses concerns that are central to political realism. At the heart of these concerns, as the title indicates, is the complex and controversial "concept of the political" itself – a concept whose correct

understanding Morgenthau, like many others before him, considered essential for any cogent theory of political life. Indeed, Morgenthau's rendering of this key concept was, as he clearly understood, at the heart of his vision of politics. It provided not only the basis for the assessment of the potential and limitations of international law that was at the heart of his emerging theory of political realism: it was also crucial in differentiating his theory of power politics both from traditional understandings of realpolitik and from contending political visions on the Left and the Right that also claimed to find their foundation in a particular understanding of "the political". For all their apparent abstraction, the issues at stake in this conceptual question were crucial - and they had direct implications for domestic as well as international politics, and for the connection between the two.

There is little doubt that Morgenthau's thinking underwent significant evolution in the years following the publication of La notion du "politique". International law came to play a less and less central role in his writings. But there is equally little doubt that the concern with fundamental questions of political life addressed in this text and expressed in legal terms remained important parts of his political vision, and that they comprised key – if often implicit (and sometimes even hidden) - elements of his theory of international politics. Indeed, any cogent appreciation of realism as a set of philosophical and political claims, as a "tradition" of thought, as well as of Morgenthau's particular version of it, needs to include a consideration of the core conceptual questions that Morgenthau takes up in these brief chapters. As such, their translation and republication, along with the extensive intellectual and historical contextualization produced by the editors, provides a significant resource not only for disciplinary historians, but also for anyone interested in the nature of political realism and its vision of world politics.

Michael C. Williams

Contents

Acknowledgments	vii
Foreword Michael C. Williams	ix
Part I Introduction Hartmut Behr and Felix Rösch	
1 Overview of Morgenthau's Oeuvre and Worldview	3
2 Contextualization of "The Concept of the Political"	15
3 Morgenthau's Epistemological Commitments	33
4 Morgenthau's Twofold Concept of Power	47
Part II The Concept of the Political and the Theory of International Disputes Hans J. Morgenthau	
Translator's Note Maeva Vidal	83
Preface	85
1 Introduction	86
2 On the Concept of Legal Disputes	88
3 The Concept of the Political	96
4 On the Concept of Political Disputes	121
5 Conclusion	134
Annex 1 Bibliography of Hans J. Morgenthau (Published and Unpublished Academic Work in	
Chronological Order)	146

Annex 2 Biography of Hans J. Morgenthau,	
Including the Publication Years of His Major Monographs	154
Name Index	159
Subject Index	161

Part I Introduction

Hartmut Behr and Felix Rösch

Part I Infroduction

1

Overview of Morgenthau's Oeuvre and Worldview

The German-American political scientist Hans J. Morgenthau (1904–1980) is widely considered to be the doyen of International Relations (Hoffmann, 1977, p. 44; Kissinger, 1980, p. 14; Fromkin, 1993, p. 81; Kindermann, 2004, p. 85). Due to the enormous success of his textbook *Politics Among Nations*, which was first published in 1948, and to being considered to be one of the leading figures of the realist school of thought, Morgenthau's name was already in his lifetime added to the canon of International Relations and his thought is now of recurrent concern in the sociology of knowledge of the discipline of International Relations and in international political theory. *Politics Among Nations* eventually became the most widely used textbook in International Relations curricula in higher education institutions in the United States and is now in its ninth edition.

Despite the undisputed importance of Morgenthau for the development of International Relations as an academic discipline, he eventually became marginalized and his thought suffered intellectual damage due to widespread misinterpretations. The reasons do not have to concern us here, not least because they were elaborated elsewhere (Bain, 2000; Behr, 2005; Behr and Heath, 2009), but, still, we have to remark that Morgenthau was, although often cited, hardly ever read (Williams, 2005, p. 82). References were primarily made to the famous "Six Principles of Political Realism" which Morgenthau added to the second edition of *Politics Among Nations*, after colleagues, whose verdict Morgenthau considered highly, suggested that it be adapted more with the requirements of a textbook in mind (HJM-Archive Box 121). Apart from *Politics Among Nations*, Morgenthau's oeuvre attracted little interest among scholars of International

Relations. Particularly neglected were Morgenthau's writings investigating his ontological and epistemological framework, such as his first American monograph *Scientific Man vs Power Politics* (1946) or *Science: Servant or Master?* (1972). Equally, anthologies which covered all aspects of his worldview, such as the three volumes of *Politics in the Twentieth Century* (1962) or *Truth and Power* (1970), were hardly ever consulted to assess Morgenthau's contribution to the study of international politics. Even less interest was given to Morgenthau's European writings. Only recently did scholarship develop an interest in these works in the context of scholarly concern with the intellectual history of the discipline (Frei, 2001; Tjalve, 2008; Scheuerman, 2009; Jütersonke, 2010).

The present translation of Morgenthau's study The Concept of the Political (La notion du "politique" et la théorie des différends internationaux) from 1933 is, therefore, the first endeavor to make his European writings more accessible to students of International Relations, particularly of the English-speaking academia, by presenting a translation of his original French text. The Concept of the Political seems at first not well suited for this undertaking since it is a little-known, rather short study Morgenthau published between his doctoral thesis Die internationale Rechtspflege, ihr Wesen und ihre Grenzen (International Judicature, Its Nature and Limits¹) from 1929 and his Habilitation (postdoctoral degree) La Réalité des normes. En particulier des normes du droit international. Fondement d'une théorie des normes (The Reality of Norms in International Law: On the Foundations of a Theory or Norms) from 1934. Even those scholars who cite European works of Morgenthau do not usually refer to this study. Still, The Concept of the Political was chosen because, unlike his jurisprudential writings, this study was Morgenthau's first political elaboration and marks his transition from jurisprudence toward political science. It is, furthermore, fundamental for students of Morgenthau's thought and of international politics because it is his most extensive elaboration of the concept of the political as the central factor of any human sociation and the study of politics.

To avoid further misinterpretations of Morgenthau's work and to introduce his writing *The Concept of the Political*, the following introduction will provide, first, an overview of the development of Morgenthau's worldview and will contextualize this writing within it. We will then provide a contextualization of this work in the legal

and political debates of his time as well as in the current debates of International Relations. In a third step we will introduce more specifically the major ontological and epistemological aspects of Morgenthau's political theory before, in a final step, elaborating his twofold concept of power, consisting of an empirical and a normative notion.

The particular insight offered by a translation of The Concept of the Political lies in the fact that Morgenthau's worldview rested fundamentally on the personal and intellectual experiences he had as a young scholar in Germany, Switzerland, and Spain during the latter half of the 1920s and the early 30s. Certainly, later on Morgenthau had experiences that led to alterations and amendments of his thoughts like the US wars in Korea and Vietnam, nuclear armament and his assessment of the United Nations or the European Coal and Steel Community. Nevertheless, there were no fundamental changes to his worldview with regard to ontological and epistemological commitments during his lifetime. In the 1950s, Morgenthau was still under the impression left by the downfall of the League of Nations and the final collapse of the Weimar Republic which he had experienced while in Geneva in the 1930s. Therefore, he was skeptical about the promises of international institutions and mass democracy. In the 1960s, however, Morgenthau's opinion of the United Nations changed since he realized that it would offer, despite its organizational shortcomings, an international forum in which divergent national politics could be negotiated and a viable compromise eventually reached. Similarly, the development of weapons of mass destruction led Morgenthau to an even firmer belief that the nation-state as a form of human sociation would become outdated, due to its destructive power, and would have to be replaced by a world community (Morgenthau, 1952b, p. 131; 1954, pp. 81-2; 1962a, pp. 75-6). None of these experiences, however, were fundamental enough to completely alter his worldview and Morgenthau's political thought remained within the cosmos of continental European humanities and social sciences. This is evidenced in the Preface to Science: Servant or Master? in which he acknowledged that part of this last monograph was based on his unpublished manuscript "Über den Sinn der Wissenschaft in dieser Zeit und über die Bestimmung des Menschen" ("On the Meaning of Humanities and the Nature of Men") from 1934 (Morgenthau, 1934b, p. XXI).

Morgenthau, the son of a liberal Jewish physician from the then Ernestine town of Cobourg in southern Germany, studied law at the University of Munich, but also attended lectures by the historian Hermann Oncken and the art historian Heinrich Wölfflin (Morgenthau, 1984, p. 5). In 1928 he transferred to the University of Frankfurt to finish his doctoral thesis. In Frankfurt, Morgenthau also worked as a clerk at the chambers of the well-known labor lawver Hugo Sinzheimer which allowed him to experience an unprecedented intellectual atmosphere. Morgenthau not only got to know various members of the Institute for Social Research, such as Theodor W. Adorno, Max Horkheimer, Herbert Marcuse, and Erich Fromm, but also Karl Mannheim whose office was in the same building as his own at the time (Frei, 2001, pp. 38-9; Postscript, 1984, pp. 348-9; Lebow, 2003, p. 253); among his colleagues were also leading intellectuals like Ernst Fraenkel and Franz Neumann who became prominent representatives of post-Second World War political science. In this intellectual environment Morgenthau developed three concepts that remained the fundaments of his worldview: the disenchantment of the world; pariah; and the power of dissent.

The disenchantment of the world

With the disenchantment of the world, to use a term by Max Weber (2004, p. 30), Morgenthau's anti-ideological stance is emphasized (Molloy, 2004, p. 8). The cultural crisis of the Weimar Republic fostered the development of ideologies. Life in its totality went out of joint due to dramatic changes and, consequently, seemed incomprehensible. Ideologies had filled a metaphysical void, forming "political religions" (Eric Voegelin). They seemed able to serve the needs of the masses providing shelter from their yearning for the meaning of life. Although Morgenthau at times argued the need to acknowledge the urgency of re-establishing a metaphysical system (Morgenthau, 1937, pp. 8-11) because it would enable humans to find a meaning in life again (Morgenthau, 1930a, p. 42), he still remained critical toward the promises of ideologies. A metaphysical system would have to guarantee empirical and normative objectivity² (Morgenthau, 1937, pp. 97-100); ideologies, however, would not be able to provide that kind of objectivity because they