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“WE ARE ALL  
ISLANDERS TO  
BEGIN WITH”:

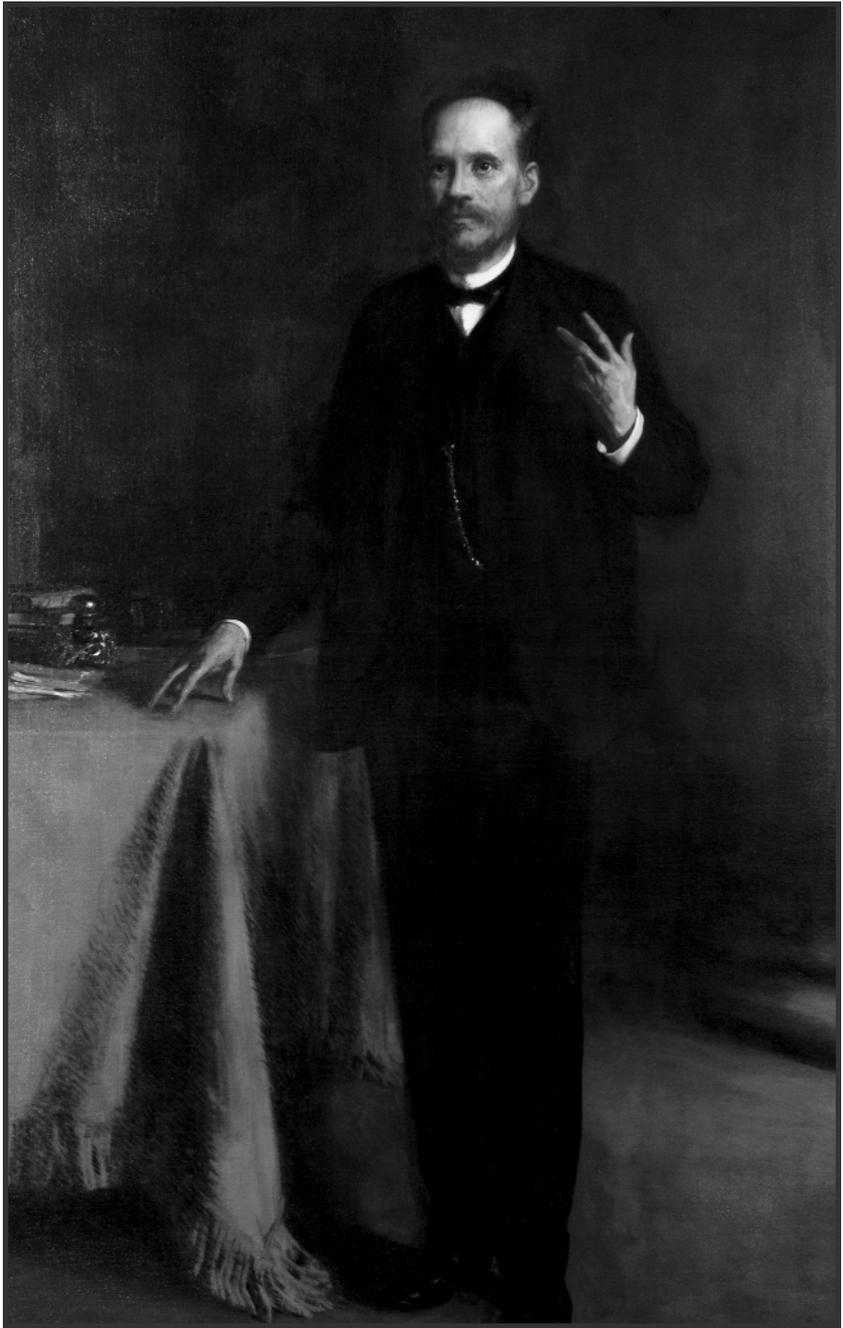
THE UNIVERSITY OF CHICAGO  
AND THE WORLD IN THE  
LATE NINETEENTH AND  
TWENTIETH CENTURIES

JOHN W. BOYER

XVII

OCCASIONAL PAPERS  
ON HIGHER  
EDUCATION XVII

THE COLLEGE  
OF THE  
UNIVERSITY OF  
CHICAGO



*Hermann von Holst, oil portrait by Karl Marr, 1903*

“ W E A R E A L L I S L A N D E R S  
T O B E G I N W I T H ” :

*The University of Chicago and the World  
in the Late Nineteenth and Twentieth Centuries*

I N T R O D U C T I O N



The academic year 2007–08 has begun much like last year: our first-year class is once again the largest in our history, with over 1,380 new students, and as a result we have the highest Autumn Quarter enrollment in our history at approximately 4,900. We can be proud of the achievements and the competitiveness of our entering class, and I have no doubt that their admirable test scores, class ranks, and high school grade point averages will show their real meaning for us in the energy, intelligence, and dedication with which our new students approach their academic work and their community lives in the College. I have already received many reports from colleagues teaching first-year humanities general education sections about how bright, dedicated, and energetic our newest students are. To the extent that we can continue to recruit these kinds of superb students, the longer-term future of the College is bright indeed.

We can also be very proud of our most recent graduating class. The Class of 2007 won a record number of Fulbright grants—a fact that I will return to in a few moments—but members of the class were recognized in other ways as well, including seven Medical Scientist Training

*This essay was originally presented as the Annual Report to the Faculty of the College on October 30, 2007. John W. Boyer is the Martin A. Ryerson Distinguished Service Professor in the Department of History and the College, and Dean of the College.*

Program fellowships awarded by the National Institutes of Health, three Harry S. Truman Scholarships; six National Science Foundation Graduate Research Fellowships; four David L. Boren Undergraduate Scholarships for Study Abroad; three Gates Cambridge Scholarships; five Barry M. Goldwater Scholarships for advanced study in mathematics or science; and both a Bundeskanzler Scholarship from the Alexander von Humboldt Foundation and a DAAD Study Scholarship, each for the support of research in Germany. These and many more forms of public and private recognition mark our students as capable of the kinds of achievements that make them fully worthy of our traditions.

Another kind of achievement is also worth mentioning because it signifies the esteem our students have for what you as a faculty have done for them and can also give us confidence in the long-term health of our university. At the end of their careers in the College, the Class of 2007 added to the recent successes of our graduating classes by establishing a new record rate of participation in, and level of giving to, the Senior Class gift. Our seniors are proud of the College and the University, and they are willing to band together to help us.

As this academic year begins, I want to mention several important initiatives regarding both the College's academic programs and the College's external relations and fund raising. Beginning with fund raising, I am pleased to report a variety of good news. We are enormously grateful to our anonymous donor for the Odyssey Scholarship challenge that will allow us to relieve many lower-income students from the burden of borrowing to finance their education. In addition, David Logan's gift will allow us to quickly move forward on the design and construction south of the Midway of the Reva and David Logan Center for Creative and Performing Arts. We can be proud of the fact that both of these important gifts—the largest and nearly the largest in our history—

came from College alumni. During the past year, we also exceeded our \$250-million goal for the College in the current capital campaign.

But there is no rest in the world of fund raising, and we must continue to work to strengthen the resources available to enrich the College's academic programs and to support student life initiatives. In so doing, I hope that we will emphasize the University and the College as educational communities devoted to teaching and learning. The College's fund-raising priorities are simple: we will seek support for teaching, for a student community life that supports our academic goals, and for access to the College. Among other things, these overarching categories translate into support for College Professorships, for the Harper-Schmidt Fellows, for our growing programs of support for student research, for language and international study, and for housing, as well as for both the Odyssey Scholarship matching challenge and for efforts like the College Academic Achievement Program that are designed to help us recruit and retain students from low-income families and under-resourced high schools.

I believe that it is essential that we emphasize the University's identity as an educational institution, dedicated to developing and supporting a faculty of scholar-teachers and a body of talented, hardworking students who are able and willing to bring the ideals of scholarly courage and creative inquiry to bear in the professions and the careers that they will eventually choose.

Our academic and paracurricular programs have also advanced over the past year, and several changes are being developed for the year to come. This year the College will be giving close consideration to the issue of College teaching, both by the faculty and by our graduate students. Particularly in light of the new graduate aid initiative in the humanities and social sciences, the College believes that it is essential to make a careful study of current practices with regard to graduate-student

teaching. We should give special consideration to the appropriate number of advanced graduate students who should be allowed to teach stand-alone courses in the College, the time in their careers when they should do this teaching, their training (or lack thereof), their performance, and compensation for unaided graduate students. Other colleagues will have other questions to put on the table as well. Our goal this year will be to articulate a reasonable set of standards and practices for graduate-student teaching as the new aid packages are awarded—practices and standards that are consistent with what we expect of the faculty.

The plan for this year is to convene a discussion that will be as inclusive as possible. The College Curriculum Committee, along with some members of the Committee of the College Council, will be charged with drafting a College policy on graduate-student teaching over the course of the year. Our goal will be to produce a set of general guidelines for the use of the core chairs, the undergraduate program directors, and the masters in planning for the use of graduate students in the College's instructional programs. The committee will hold several meetings in each quarter this year to which colleagues will be invited. These meetings will allow the masters, department chairs, program chairs, Deans, and other senior administrators and faculty engaged in the process of graduate training and undergraduate teaching to contribute to the discussion.

The Committee on Education for Careers in the Health Professions, ably chaired by Martin Feder, reported to the faculty and the masters in the Spring Quarter, and we are beginning to implement its recommendations for changes in the ways that we advise students applying to medical school, adding coaching and other initiatives designed to help them understand and explain their career aspirations and to successfully maneuver the complex process of medical school admissions. One key step that we have already taken is to restructure our health professions

advising system by conducting a national search for a new position: the director of the Chicago Careers in the Health Professions (CCIHP) Program. In the future, the director of the CCIHP will be part of a new team of leaders based in Career Advising and Planning Services (CAPS), working with his/her colleagues in our Chicago Careers in Business (CCIB) Program and our prelaw advising program. The Feder Committee also identified more fundamental issues having to do with the character of science teaching in the College and the structure of our curriculum, and we will begin to address these issues in the coming year.

The CCIB, which provides elective courses at the Graduate School of Business and a range of coaching and training and internship opportunities for students preparing for business careers, had a very successful first year of operation. CCIB has attracted not only talented students but also strong philanthropic support from our alumni in the business community. This program is an important component of our wider efforts to ensure that our students have both the strong liberal education that the faculty rightly insists upon and the means to translate that education into a coherent and confident start to a professional career. What we are constructing with respect to the health professions, and already do successfully via our prelaw advisers in the College for students interested in the study of law, is in this same spirit. It is natural for the faculty to mentor College students aiming for PhD programs and academic careers; we want to do all we can with our own resources, and in collaboration with our professional schools and our alumni, to assist students in succeeding in other careers as well.

International education is also moving forward under new leadership. Martha Merritt, a scholar of Russian politics who was educated at Oxford and was formerly at Notre Dame, has taken over the leadership of foreign study as Associate Dean of International Education. She has

reorganized the office and hired an experienced professional staff that will provide more consistent and cost-effective service to our students, faculty, and overseas partners than has been possible with a largely part-time staff thus far. New agreements with the University of Paris VII and the University of Vienna (which make it possible for our students to register as visiting students in the University of Paris and in the University of Vienna, thus providing valuable opportunities for meeting local students and access to the rich library resources of those institutions) and the continuing growth in the programming of the Center in Paris are early fruits of this change. In return we will welcome each year a group of French and Austrian students who will study at the College during the Winter and Spring Quarters. Our civilization studies program in Beijing is launched on a second year that we expect to be as successful as the first. The Beijing experience has given us a solid ground on which to propose further initiatives in China. I have already appointed a faculty committee charged with formulating a new civilization studies program in Jerusalem. We have a generous gift from a College alumnus that will partially fund this latter initiative.

Another group of faculty, in collaboration with staff from the University Community Service Center and other colleagues, will begin this year to give shape to our new Chicago Studies initiative. Chicago Studies will promote course development and publicize existing courses, as well as facilitate interactions with organizations from neighborhood activists to city government that can support and enrich our academic work about and within the city of Chicago. The first volume of what we expect to be an annual volume of high-quality College student papers relating to the history, culture, and society of the city of Chicago will be published early in 2008. A competition for publication in the second volume will be announced later this quarter.

Faculty groups from biology and mathematics are working now with the staff of the Urban Education Initiative to prepare an application to the Illinois State Board of Education for BA/MAT programs in secondary school teaching in each field. These programs will begin in a student's fourth year and yield the MAT and secondary certification, after an additional twelve months of course work and intensive training. As with our elementary education degree program, the work will be integrated with the University of Chicago Charter School and with other schools and master teachers in the Chicago Public Schools. We expect strong student interest and are optimistic that our application will be approved by the state of Illinois in 2008.

The College remains committed to the goal of continuous improvement in the quality of residential life. We want to be able to offer at least 70 percent of our students the opportunity to live in our House System for four years. This means moving forward promptly this year with the planning for another residence hall, in addition to the one currently under construction south of Burton-Judson Courts. This newest facility must be designed to be attractive to third- and fourth-year students, and it should strengthen the vibrant campus residential community we have already built within walking distance of the quadrangles.

As we work through all of these matters over the course of the year, it is wise to remember how fortunate we are as a faculty to have students who share our love of learning and our willingness to work hard in the pursuit of knowledge. It is no accident that our students share our ideals. Our predecessors built this institution to serve faculty and students as a place where learning and teaching would find a congenial and supportive home and where (they hoped) the whole world would find inspiration. Across the generations, we have also sought ways to encourage our faculty and students to interact with the wider world in search of new knowledge and cultural understanding.

Only a decade ago, in the 1996–97 academic year, nine College students applied for grants to the Fulbright U.S. Student Program competitions. In the next season, ten other students applied. The College received four grants in each of those years—a record number for our students. Since then we have been gradually increasing the number of students applying for Fulbrights and at the same time increasing our efforts to support them through the application process. There were twenty-four applicants in 2006–07 and nine winners. Then there were fifty-eight applicants for the 2007–08 academic year and twenty awards. We have just completed interviewing sixty-seven applicants for the 2008–09 academic year. Most were quite strong, and we will know the results in the spring. The sixty-seven applications in the 2008–09 competition were for projects in thirty-nine different countries.

Students who won Fulbrights last year are all over the world this year: in China, to examine a village's efforts to build agricultural cooperatives under the "rural reconstruction" approach to rural economic development; in Norway, to conduct research at the University of Oslo on the cause and effect of Norway's gender quotas insofar as they impact a country with a democratic society and an advanced economy; in Jordan, to conduct ethnographic research in major Palestinian refugee camps in and adjacent to Amman to better understand the modern forms of Middle Eastern architecture and their relevance to the built form of the refugee camp; in Argentina, to teach English; and in dozens of other places, to learn many languages and to live in many cultural settings.

This growth is a tribute to the ambitions of our students and to their increasing willingness, under the guidance and inspiration of our faculty and our curriculum, to think and work beyond the borders of the United States and even of the English-speaking world. This is certainly not the only way that our students show their capacity to appropriate

what we do for them and to educate themselves. But it does exemplify a creative internationalism that is firmly embedded in the institutional culture of the University of Chicago and that has deep roots in our traditions.

The University has profited enormously from its connections to the wider world of scholarship and teaching, and its identity as a place of learning and discovery has been fundamentally shaped by these relationships. On this the tenth anniversary of the beginnings of many of our new international programs, it is appropriate to pause and consider our history of engaging the world. Like many things associated with the University, it was present at the beginning. The story that I tell in this essay is multifaceted and often astonishing, and perhaps all the more fascinating for that.<sup>1</sup>

#### ENGAGING EUROPEAN HIGHER LEARNING BEFORE 1914



In March 1904, on the occasion of its fiftieth quarterly convocation, the University of Chicago hosted a much-publicized visit by five distinguished German scholars who, with much rhetorical fanfare, were awarded honorary degrees by President William Rainey Harper. The head of the Department of Botany, John M. Coulter, was asked to give a celebratory lecture on the importance of German universities for the new academic culture of the University of Chicago. Coulter argued that the nineteenth-century German research universities

1. I am very grateful to Daniel J. Koehler for assistance in gathering research materials for this essay, and to Dennis J. Hutchinson, Michael Jones, and Martha Merritt for spirited discussions about its arguments.

had offered their American cousins five important exemplary norms: the idea that the research university is a key asset to progress in modern life; the idea that faculty must enjoy freedom to teach, unencumbered by external pressures (*Lehrfreiheit*); the idea that students enjoy a similar privilege in determining the course of their studies (*Lernfreiheit*); the idea that scientific research in all fields should be pursued for its own sake; and the idea that the instructor at a university (in contrast to a secondary school or other preparatory academy) must be both an active researcher and a teacher. Coulter was not indifferent to the cultural or social differences between Germany and America, and he acknowledged that the organizational ideals embodied in the German university would have to be "adapted to the peculiar genius of each people." The tradition of the college in American higher education was one important structural difference between the two systems, and Coulter admitted that the "imperceptible gradation from college to university that characterizes the American system of higher education is not a thing that can be abolished or that ought to be abolished." Still, the German university manifested a powerful valence in its dedication to academic freedom, its commitment to independent scientific research, and its belief in the value of enrichment of knowledge, and as such it presented America with a powerful instrument that could curb

the irrelevant emotions of mankind, and . . . introduc[e] that intellectual domination which must analyze problems to their ultimate factors and construct general systems of belief that are rational and effective. It must be evident that scholarship is now attacking, not merely problems of interest to itself, but also those of the most far-reaching importance to mankind; and it is not too much to expect that the results will not only

enormously extend the boundaries of knowledge, but will also organize upon a scientific basis all political, social, and religious institutions.<sup>2</sup>

The year 1904 proved to be particularly auspicious for notable meetings of Central European scholars and Chicago faculty, moreover, for the visit of the distinguished German scholars in March was followed six months later by the visit of another delegation of senior German scholars passing through Chicago in mid-September on the way to the International Exposition and Congress of Arts and Science in St. Louis, of which Professor Albion Small of the University of Chicago was one of the leading organizers.<sup>3</sup> Small hoped that bringing together European and American scholars at the Congress would not only give senior scholars on each side of the Atlantic a better appreciation of the work of their colleagues on the other continent but also that the distinguished Europeans would find in the incipient U.S. scholarly attainments a worthy

2. John M. Coulter, "The Contribution of Germany to Higher Education," *University Record*, 8 (1903–04): 348–53. Coulter may have been asked by Harper to give this address since he had just spent three months between August and October of 1903 touring various German university research facilities in botany, including Berlin, Bonn, Dresden, Leipzig, and Munich. He found Berlin a "great pushing scheming center for taxon[omy] and floristic ecology with schemes far greater than [the] money supply." See his "Botanical Notes Made in Europe, Summer of 1903," entry of August 25, 1903, *John M. Coulter Papers*, Box 2, folder 6. Coulter received his PhD from Indiana State University in 1882. He did not study in Germany, but as the chief editor of the *Botanical Gazette* Coulter maintained professional contacts with various senior German scientists in the field of botany. During Coulter's chairmanship of the Department of Botany at Chicago from 1892 to 1925, his department produced 175 PhD dissertations.

3. *Chicago Maroon*, October 8, 1904, p. 2.

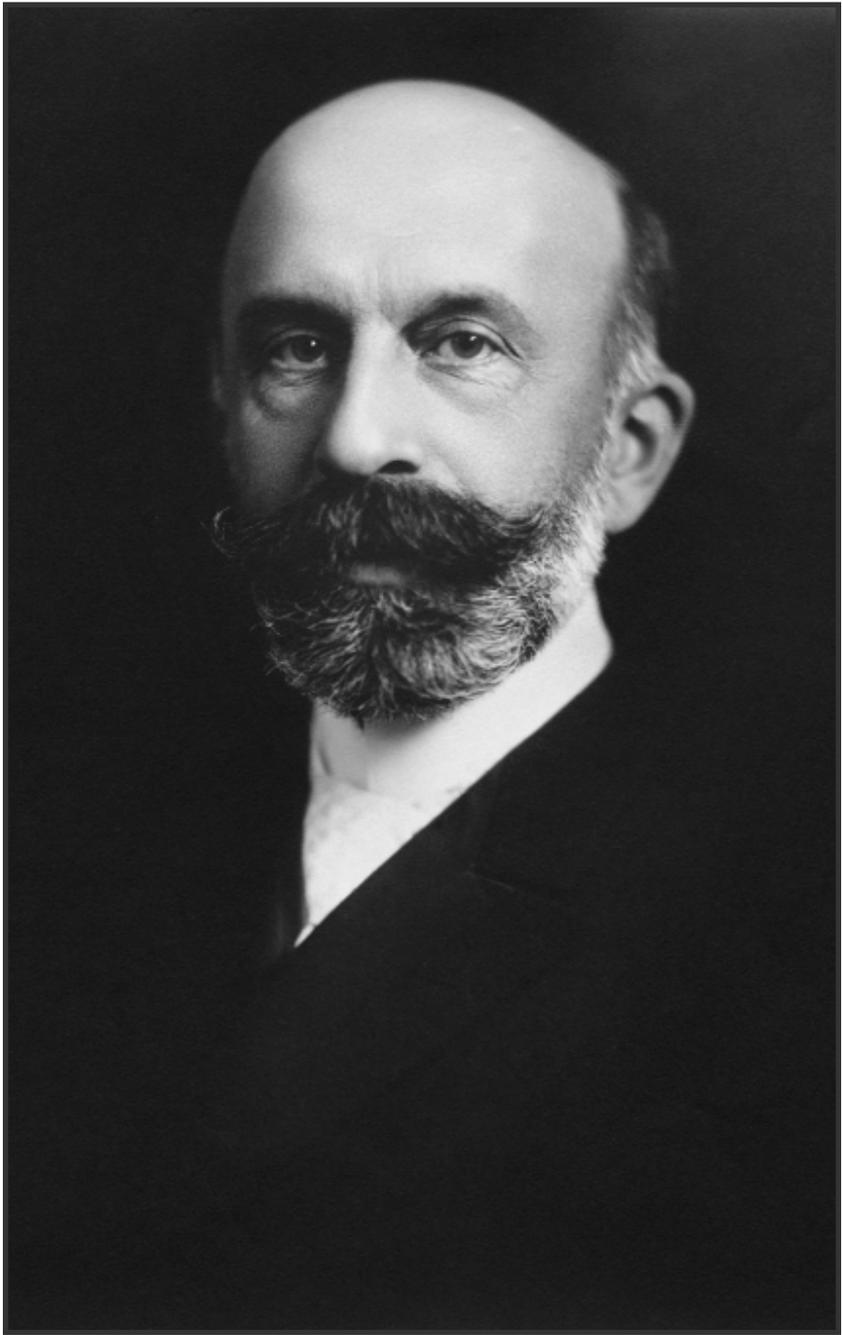
counterpoint to their own scientific endeavors.<sup>4</sup> Tellingly, in the process of assembling lists of possible invitees from Europe on the topics of international law, diplomacy, and national administration, Small reported to William Rainey Harper in April 1903: "I ought to say that the predominance of Germans in the list submitted ought not be to charged in any degree to [Hugo] Münsterberg. The fact is that the prominent scholars are so overwhelmingly German that we have done our best to canvass the other nations in order to make for them a respectable showing."<sup>5</sup>

If one takes John Coulter's arguments literally, the early University seemed to owe an enormous debt to the model of the German research university. Certainly many of the early Chicago faculty were also influenced by English scholarship, and the higher research institutions of France were also well known, at least to a few. But the University honored neither the British nor the French systems of higher education with the flurry of honorary degrees and the kind of speeches that Harper and his colleagues accorded to the Germans in March 1904.<sup>6</sup> In what ways did the University

4. Small's confidence in American scholarship was evident in the vigorous debate that he conducted with Hugo Münsterberg of Harvard about the conceptual organization of the Congress, in which he insisted that "we are far enough advanced so that we are no longer jealous of estimates passed upon us from the Old World standpoint. But on the other hand we are sure enough of ourselves so that we no more fear the ridicule of the Old World scholars than we do that other bugaboo, the dark, which used to frighten us in our childhood." Quoted in A. W. Coats, "American Scholarship Comes of Age: The Louisiana Purchase Exposition 1904," *Journal of the History of Ideas*, 22 (1961): 408.

5. Small to Harper, April 27, 1903, *Presidents' Papers, 1889–1925*, Box 42, folder 16. Hereafter cited as *PP, 1889–1925*.

6. For the general background, see Walter Ruegg, ed., *A History of the University in Europe. Volume III. Universities in the Nineteenth and Early Twentieth Centuries (1800–1945)* (Cambridge, 2004), pp. 163–77.



*Albion Small*

and its first faculty come to feel so indebted to the model of the German research university? Why was this the case, and equally important, did it make a difference in the history of the University? How extensive was this debt?

If one asks where the early University of Chicago first encountered the external world of learning and research, the most plausible answer is to look to the stunningly distinguished research universities of late imperial Germany that have long been associated with the foundational structural ambitions of our university. The issue of the influence of German university ideals and norms on the late nineteenth-century American universities has generated in recent decades, however, a large and often controversial literature. Many scholars believe that there was no single causal process of influence between the German and American "models" of university education, and that if there was a strong German influence it was largely in the conception of professorial authority rather than in specific institutional innovations.<sup>7</sup> Moreover, Jurgen Herbst has suggested that patterns of professionalism that emerged in Germany and the United States at the end of the nineteenth century were not strictly national and that both were part of "the now ubiquitous façade of academic professionalism, an 'ism' that is neither German nor American but, so to speak, purely and universally academic."<sup>8</sup>

7. This debate is nicely summarized in Roy Steven Turner, "Humboldt in North America? Reflections on the Research University and its Historians," in Rainer Christoph Schwings, *Humboldt International. Der Export des deutschen Universitätsmodells im 19. und 20. Jahrhundert* (Basel, 2001), pp. 289–302.

8. Henry Geitz, Jürgen Heideking, and Jurgen Herbst, eds., *German Influences on Education in the United States to 1917* (Cambridge, 1995), p. 17, as well as Mitchell G. Ash, ed., *German Universities: Past and Future. Crisis or Renewal?* (Providence, 1997, and *idem*, "Bachelor of What, Master of Whom? The Humboldt Myth and Historical Transformations of Higher Education in German-Speaking Europe and the US," *European Journal of Education*, 41 (2006): 245–67.

True, German universities around 1900 were much more self-consciously Humboldtian than fifty years earlier, in the sense that their advocates more aggressively adopted the Humboldtian ideal of the unity of teaching and research.<sup>9</sup> But they were also deeply engaged in what today we might call professional and even vocational education. Recently several scholars have illuminated how misleading the norm of the “German research university” was in reality, for most German universities by 1900 had become large certification machines for students who wanted to pursue a career in the civil service or in one of the learned professions. They were hardly idealized sites where liberal arts learning or even pure research could be cultivated. Further, given the strongly hierarchical structure of their faculties, with the domination of a small number of full professors (*Ordinarien*) over a large mass of underpaid assistants and associates who did not enjoy civil service protection, they were not ideal places for the intellectual or pedagogical development of young faculty. Thus, scholars like Gabriele Lingelbach have argued that the impact of the German model has been exaggerated, and that many of the norms and behavioral models associated with academic life in Germany and in German conceptions of academic research were not viable in an American context. German models and practices were experienced by

9. Gabriele Lingelbach, “Cultural Borrowing or Autonomous Development. American and German Universities in the Late Nineteenth Century,” in Thomas Adam and Ruth Gross, eds., *Traveling between Worlds. German-American Encounters* (College Station, Texas, 2006), p. 111; and *idem*, “The Historical Discipline in the United States: Following the German Model?” in Eckhardt Fuchs and Benedikt Stuchtey, eds., *Across Cultural Borders. Historiography in Global Perspective* (Lanham, MD, 2002), pp. 184–85.

American faculty members in a "highly selective and in some cases clearly inaccurate" mode.<sup>10</sup>

Still, it is undeniable that the German universities offered a powerful allure to many colleagues who were members of the first generation of our faculty. William Rainey Harper initially was quite enthusiastic about encouraging young American scholars to study in Europe, which essentially meant studying in Germany. Thomas Goodspeed later recalled that in the initial organizational period of the University for Harper "[i]t was a recommendation to have studied abroad and earned a higher degree."<sup>11</sup> According to Goodspeed, Harper even issued agreement forms to prospective younger scholars whom he thought would profit from an academic sojourn in Europe, promising to nominate them for jobs once they returned to Chicago: "In every case in which he made these contracts the prospective President was accustomed to require, or at least very strongly advise, the prospective instructor to go abroad for as long a stay as possible to better his preparation for his future work."<sup>12</sup>

Harper's putative search for men who had studied abroad made it into local newspapers, one of which accused the new President of traveling to Europe in the summer of 1891 with the intent of violating the

10. Gabriele Lingelbach, "Cultural Borrowing or Autonomous Development," p. 105. See also *idem*, *Klio macht Karriere. Die Institutionalisierung der Geschichtswissenschaft in Frankreich und den USA in der zweiten Hälfte des 19. Jahrhunderts* (Göttingen, 2003).

11. Thomas W. Goodspeed, unpublished original manuscript of his *History of the University of Chicago*, *Thomas W. Goodspeed Papers*, Box 2, folder 7, p. 43.

12. *Ibid.*, p. 67.

Alien Contract Labor Law of 1885, which prohibited the offering of broad categories of jobs to non-U.S. citizens. Harper was portrayed as planning on asking the prospective nominees to travel to the city of Chicago without a legally binding job offer, where they would suddenly be discovered by the Trustees and offered employment on the spot. As Goodspeed later remembered the alleged ploy, “[w]hat could be simpler than to advise a promising candidate to arrive in Chicago in the course of desultory world wanderings and there happily to fall in with the Trustees of the University? How gratifying to all parties concerned if it should be then and there discovered that this incidental tourist was precisely the man for whom they were looking?”<sup>13</sup>

In fact, Harper hired few senior foreign scholars directly from Europe. The most prominent was Hermann von Holst, a senior constitutional historian at the University of Freiburg whose short tenure in Chicago left a long-lasting impact on local faculty culture. But the presence of American-born scholars at Chicago who were trained at one or more German universities was extraordinary. Of the 204 members of the faculty of the University of Chicago in 1896–97, 84 had taken degrees or advanced training at a European university and 70 of those had studied at one or more German universities. Thus, over one out of every three faculty members at the newly founded University had a direct personal experience with the educational and research practices of the German university system.

Their experiences in Germany varied enormously. James Breasted spent three years in Berlin, assiduously mastering Hebrew, Arabic, and

13. *Ibid.*, Box 4, folder 7, pp. 3–4. This issue is referred to in the *Chicago Tribune*, October 25, 1891, p. 11.

several other languages plus immersing himself in the arcane details of Near Eastern history and culture. Breasted had first come to know Harper at Yale, which he entered as a graduate student in the fall of 1890 in order to study divinity after graduating from North Central College in Naperville, Illinois. Breasted had actually wanted to devote full time to the study of the Hebrew language, but his father insisted that he complete a course in divinity instead. Breasted cleverly managed to combine both interests, and he came to know Harper over the course of the 1890–91 academic year.<sup>14</sup> Encouraged by Harper to undertake a two-year course of doctoral study in Germany, Breasted left for Berlin in the fall of 1891. While in Berlin, Breasted served as an informal contact for Harper with German bookdealers. Breasted also helped Harper's wife and children during their residency there, and he tutored Harper's children in Latin. He initially devoted most of his efforts to learning Coptic, Arabic, and Hebrew, quickly establishing a warm relationship with the senior German Egyptologist Adolf Erman. Erman told Breasted that he must remain in Berlin for a three-year period if he hoped to achieve real mastery of his subjects: "he says that I must stay here *three years*, that one can get no more than a superficial knowledge of the subject in less time, and he is not one of the slow Germans either. The further I go in the subject the more thoroughly I agree with him. It is simply vast and broadens every day."<sup>15</sup> Breasted flourished in Berlin — taking courses in Egyptian grammar, doing archaeological exercises, and studying Plato and Aristotle — and found all of his work to be "intensely interesting." He soon received reassuring accolades from his German mentors that

14. Breasted to Harper, September 16, 1890, *PP*, 1889–1925, Box 9, folder 14.

15. Breasted to Harper, December 26, 1891, *ibid.*

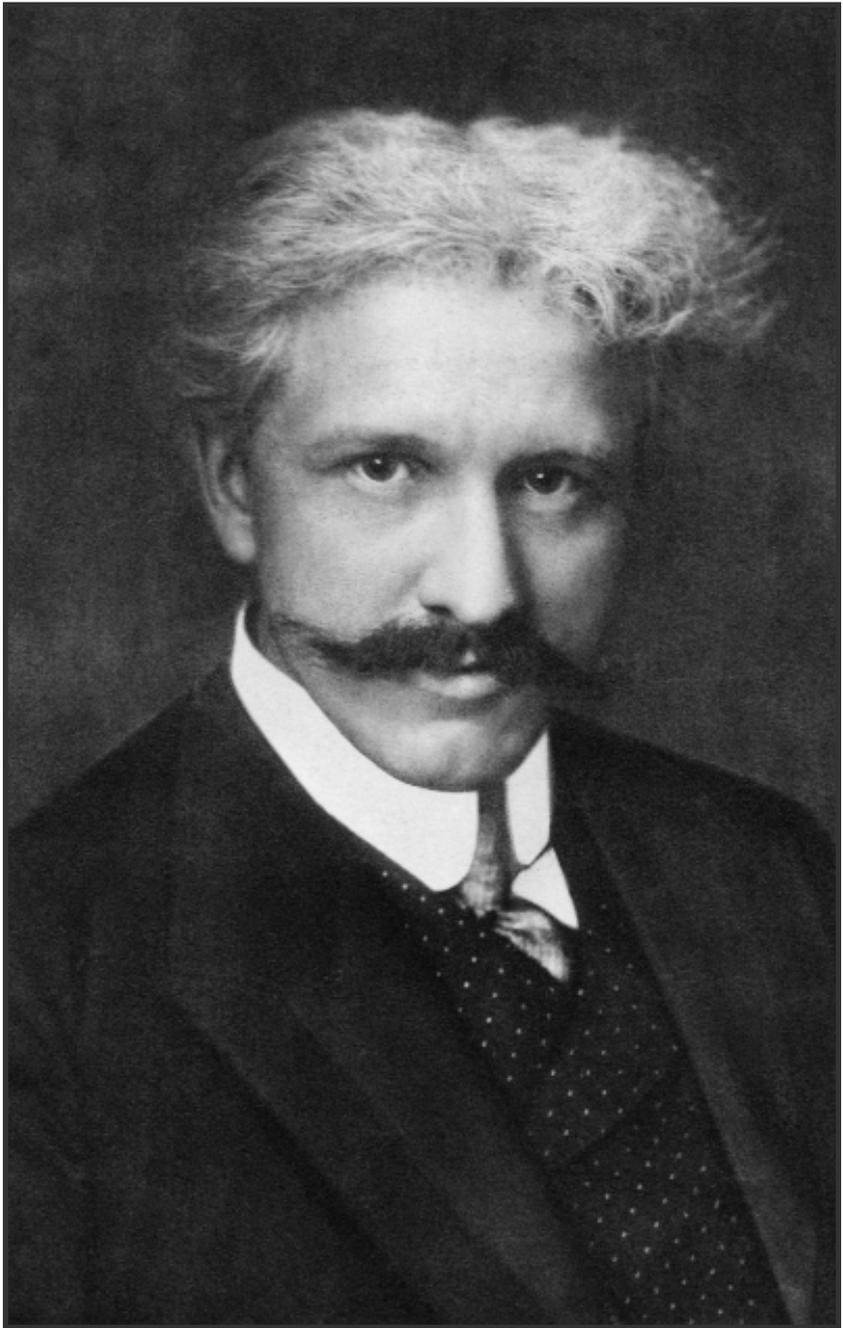
he proudly reported back to Harper.<sup>16</sup> Harper responded by informing Breasted that he was now considered to be a member of the young University's faculty, to which Breasted charmingly responded: "I was very glad to learn that I am already a member of the University, and I shall be interested to learn further of the nature of the connection."<sup>17</sup> He came to master German and made many friends. He even met Frances Hart, the young American woman whom he would eventually marry. Not only did he pursue intensive academic work but he also vacationed with Adolf Erman and fellow German doctoral students, hiking through the Harz Mountains in the late summer of 1892 under conditions that he reported to Harper as idyllic.<sup>18</sup>

As his studies progressed, Breasted came to understand more broadly and fully the range of Egyptian history and culture. He proudly informed Harper that "the picture of Egyptian life, history and thought is gradually growing into completeness," a remarkable anticipation of the great works of synthesis (*Development of Religion and Thought in Ancient Egypt; History of Egypt; The Conquest of Civilization; The Dawn of Conscience*) that Breasted would produce later in his career. He also came to have a more acute appreciation of the significance of scholarly scientific progress that was represented by a scholar of Erman's caliber:

16. "If you will pardon me for saying it myself, Dr. Joachim the translator of the 'Papyrus Ebers' told me this morning that both Erman and Steindorff (Coptic) said to him that they were 'expecting great things of me for Egyptology.'" Letter of April 25, 1892.

17. Breasted to Harper, May 22, 1892, *ibid.*

18. "I wish you could join our party — Smend, Erman, Windish (Gansk in Leipzig) and myself as we climb these beautiful blue peaks, and breathe this invigorating air. It is like a new lease of life." Letter of August 24, 1892, *ibid.*



*James H. Breasted*

All investigators before Erman were satisfied with loose translations, loose rendering of meaning, inexactness everywhere, recognized very little grammar and no syntax at all, and possessed but the barest smattering of Coptic. They made no distinction between the oldest and latest language. With a keenness which I admire more and more everyday, he began with the Coptic which he thoroughly mastered as the last phase of the dying language. Then going into the language of the 'New Empire', he studied every line of its immense literature, and wrote his great 'Neuegyptische Grammatik'. . . . On this foundation he now went to the most difficult task of all, i.e., the language of the 'Old Empire' and the grammar which he wrote is just complete and will come from the press in a few weeks. This great task has consumed fifteen years, during which he has also written the most complete 'Archaeology' that has yet been written, a marvel of correct detail. In a word, Erman, with a perfect mastery of Coptic, an absolute command of the vast lexicon and intricate grammar of the language through all its periods, holds the unique position of being the only man in Europe who can translate an inscription with absolute grammatical exactness. . . . Erman's learning is so vast that every time I work with him I am more astonished at him.<sup>19</sup>

Erman became more than a source of pedagogical support and mentorly advice for the young scholar, for we can see embedded in these admiring words a determination to be like his new mentor, and this quest for large-scale mastery based on scientific exactitude would have

19. Breasted to Harper, January 27, 1893, *ibid.*

a formidable effect as the role model for the professional standards of scholarship and the academic life on the most talented of Breasted's generation of American expatriates. When the big day came and Breasted passed his final oral examinations for the doctorate in July 1894, he was rewarded with high praise and the citation of "cum laude," making him feel as if he was a natural son of German academic culture.<sup>20</sup> He proudly reported to Harper that the four German doctoral students who were also examined at the same session all received the grade of *sustinuit*, a "just passing" rank considerably below that which he had merited.<sup>21</sup>

In the years that followed Breasted continued to admire German academic culture, particularly the willingness of the royal academies to support independent research projects and the munificence with which scholarly conferences were organized. But it was also telling, and fully in line with Harper's own sympathies, that when the question came up in 1902 of appointing a scholar of Arabic at Chicago, Breasted wrote to Harper: "I thought I ought to tell you this, adding at the same time, that R. F. [Harper's brother, Robert Francis Harper] and I talked the question over, and it seemed to us that we had passed the time where it was necessary to introduce foreigners. . . . We arrived at the conclusion that, as our Semitic department was manned throughout by men whom it had developed and supported, that we ought to go on in the same way."<sup>22</sup> This sidebar comment is noteworthy in signaling not only a general and growing self-confidence in the prestige and power of the

20. Charles Breasted, *Pioneer to the Past. The Story of James Henry Breasted, Archaeologist* (New York, 1943), pp. 34–57.

21. Breasted to Harper, July 21, 1894, *PP, 1889–1925*, Box 9, folder 14.

22. Breasted to Harper, September 12, 1902, *ibid.*, folder 15.

new American research university but also its willingness to slowly repudiate the need to look to Europe for well-trained scholars.

Other young Americans had rather different experiences from those of Breasted. For example, James Tufts spent only one year in Germany and gained a clutch of valuable experiences. But unlike the case of Breasted, it would difficult to argue that these experiences transformed Tufts's life. Yet his career affords an example of Harper's perspicacity in identifying talented young American scholars, offering them a preliminary job contract, and then urging them to go to Europe for additional seasoning. Tufts, who eventually became a prominent American philosopher of pragmatism with a specialty in moral and social philosophy and in theories of social relations, taught at Chicago from 1892 to 1930. In 1889, Tufts had been appointed an instructor of philosophy at the University of Michigan with a salary of \$900 a year. If he had remained at Ann Arbor, he would have been scheduled for a promotion to assistant professor at a salary of \$1,600 annually. Tufts was not unhappy with his current job—he had a chance to work with John Dewey, who was already developing a reputation for analytic precociousness as a scholar and teacher, and he admired the less privileged and more open-minded atmosphere of the Midwestern student body (Tufts called it a “stimulating and wholesome world”).<sup>23</sup> But Tufts did have a longstanding wish to study for a doctorate in Germany, and it was not clear to him how he could combine this with his teaching responsibilities at Michigan. He knew William Rainey Harper from having taken his Hebrew language courses while Tufts was studying at the Yale Divinity School. So when

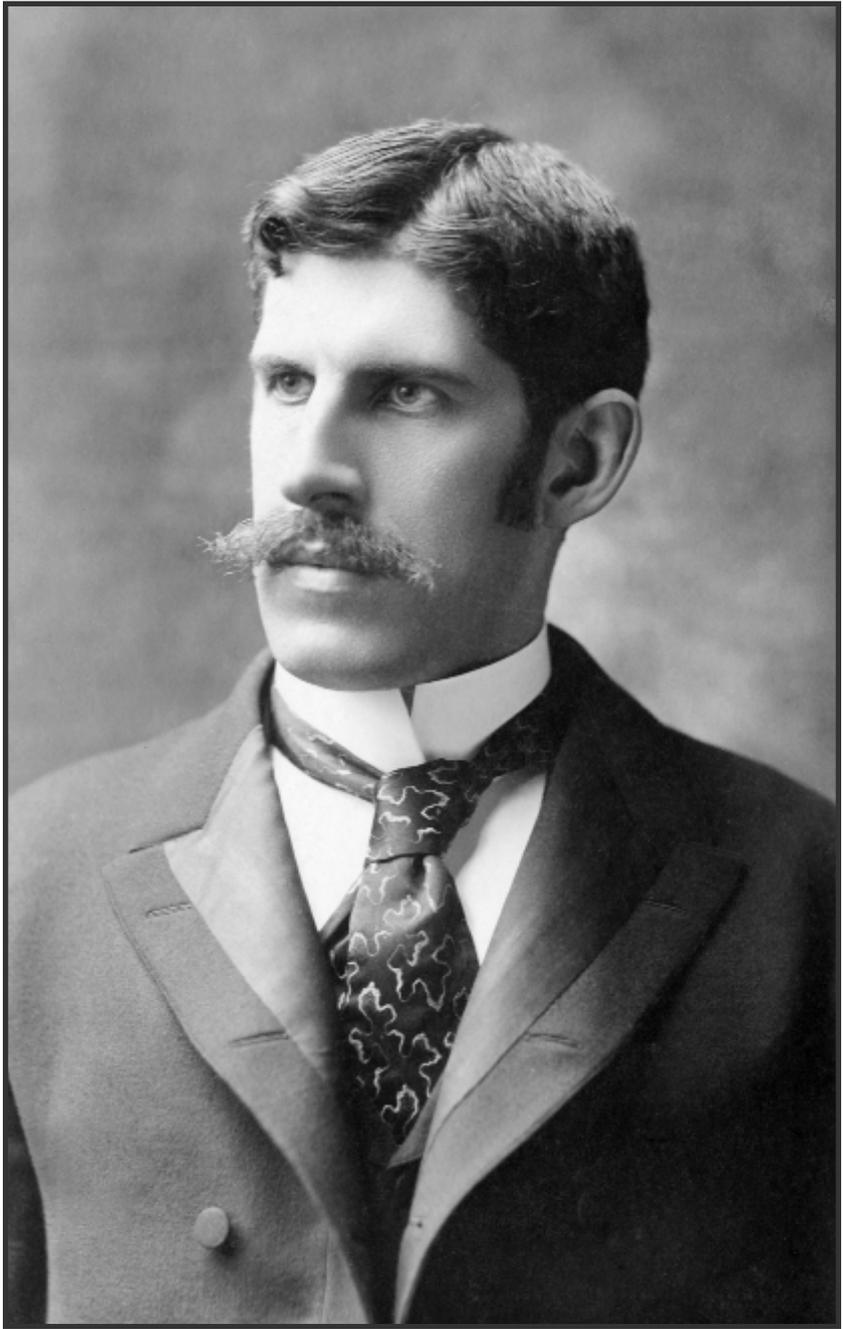
23. James H. Tufts, “Some Impressions of the University of Michigan, 1889–91,” p. 4, in his “Unpublished Autobiography,” *James H. Tufts Papers*, Box 3, folder 11.

the President-elect contacted him in early November of 1890 asking about his interest in a position at Chicago (an assistant professorship at \$2,000 a year), the path to a German higher degree seemed clear because the new University would not open its doors until the fall of 1892. By early December 1890, Tufts was writing to Harper: "If I go abroad next year I should wish to plan my studies partly with reference to my position [at Chicago], and the field of philosophy is so wide that it is rather necessary to take some special field in it."<sup>24</sup> Tufts resigned his position at Ann Arbor in June 1891. In August he married Cynthia Hobart Whitaker, a young schoolteacher from Massachusetts, and the newlyweds set off for a year in Germany. There followed a series of letters from the young Tufts to Harper from Berlin and then Freiburg, asking pertinent questions about how he could best use his time in Germany to prepare himself for the teaching assignment Harper had in mind.<sup>25</sup> Since Harper in fact had no fixed views about what Tufts should (or should not) study, eventually Tufts ended up writing a doctoral dissertation on Kant under the supervision of Alois Riehl of the University of Freiburg.

Tufts's reaction to Germany was differentiated. Within the wider reaches of German society, he disliked German militarism and found the many displays of martial pomposity in everyday life to be ludicrous. But he and his wife socialized with other Americans at the American Church at Motzstrasse 6 in Berlin, enjoying many friendships in the

24. Tufts to Harper, December 1, 1890, *William Rainey Harper Papers*, Box 14, folder 12.

25. See Tufts to Harper, September 28, 1891, November 22, 1891, December 21, 1891, February 20, 1892, June 9, 1892, and July 14, 1892, *ibid.* Tufts also sent Harper the names of other young Americans whom he met or heard about in Germany.



*James Tufts*

expatriate community. Tufts also found the atmosphere of academic seriousness at the University of Berlin to be congenial and inspiring. Years later he still admired “on the one side the spirit of inquiry and independent thinking embodied in a great university, and on the other, the experience of living among a people of different culture and in a land where music, the stage, and arts of form had a longer history and richer monuments to show. A university that included on its staff a Helmholtz, a Koch, a Virchow, a Dubois-Reymond, a Mommsen, a Pfeleiderer, a Harnack, a Zeller, a Paulsen, a Kohler could not fail to impress the dignity and worth of scientific activity upon those who frequented its halls.”<sup>26</sup> Tufts moved to Freiburg midyear to work with Alois Riehl, who was willing to count the two years Tufts had spent at Yale as fulfilling the degree requirements in Freiburg. After Tufts completing his dissertation and passing his final examinations *summa cum laude* in July 1892, Tufts proudly returned to Chicago where an assistant professorship awaited him at the new University. For Tufts, the German academic world was admirable. The real tragedy lay in the fact that this world was surrounded by and distorted by the “Germany of militaristic class and rule, of insolent officers and rigorously trained goose-step subordinates, of armed soldiers at street corners.”<sup>27</sup>

In contrast to Tufts’s generally optimistic and pleasant experiences, Paul Shorey’s story was much more complex. A distinguished scholar of Greek literature and an early twentieth-century expert on Plato, Shorey attended Harvard College. After working for two years in his father’s law firm in Chicago and passing the bar in 1880, he decided to travel to

26. Tufts, “Germany,” p. 8, in his “Unpublished Autobiography,” *Tufts Papers*, Box 3, folder 13.

27. Tufts, “Wartime,” p. 1, “Unfinished Autobiography,” *ibid.*, folder 19.

Germany to study classical languages. During his three years at various German universities he regularly corresponded with William M. Payne, a close friend from high school days in Chicago. These letters and cards revealed a lonely, deeply homesick young man who had great difficulties adjusting to his new surroundings and to German educational practices. He found Cologne and other German cities he visited to be filled with “gloomy, dirty streets” and with “hideous shop windows and homely faces.”<sup>28</sup> He quickly felt that “[t]he boasted superiority of the German races is pitiable to one who comes from Paris and northern Italy to Germany.” Nor did he much appreciate German rivers, finding that “[t]he Rhine is no more beautiful than the Hudson and the sickening, watery cabbage grows and blows over the dumpy hills are unbearable after the intense coloring and graceful distinct outlines of Piedmont.” Berlin he found to be not much better, being filled with “insignificant buildings we should never make any fuss over in America.” Ending up in Bonn at the university, he found the lectures that he attended were “very dull and I can’t make much out of them—nothing but isolated facts some of which I had known and forgotten and others which I still remember.” He also found that “German society is so unreal and vulgar that a true picture of it is not art—for the rest of the world. . . . The country, the manners, the civilization or rather barbarism, the language and the thought are all essentially repugnant to me.” In Leipzig he found his classmates were “all infected with Hegel to a greater or less extent,” and where it was also the case that “[t]he ideas, methods, and illustrative quotations are all very stale to me.” Shorey was self-conscious enough to

28. Payne went on to become an editor of the *Dial* literary magazine in Chicago. See Frederic J. Mosher, “William Morton Payne,” *The Newberry Library Bulletin*. Second Series, No. 7, October 1951, pp. 193–212. Payne was militantly anti-German during World War I.

reason that his isolation might have been his own fault, and wondered why he felt "cold and unvivacious" whenever he was forced to converse with his fellow Germans. He had better luck in Munich, where he worked with Wilhelm von Christ on a dissertation on Plato's ideas about human nature and found von Christ to be a supportive and sympathetic mentor. He finally completed his work in June 1884. But the more he read in German scholarship on Plato, the more he felt frustrated by its abstruse and highly technical nature. He complained to Payne: "I cannot be a classical scholar according to the German standards. My mind refuses to grasp their methods of reasoning and I have not and cannot have enough minute grammatical and historical knowledge to sustain me. It is almost a physical, certainly a nervous pain to me to follow a chain of reasoning that has absolutely no cogency for me."<sup>29</sup>

Shorey was an acerbic, deeply opinionated personality, given to making controversial and occasionally outrageous comments about all manner of events and persons he encountered. In one essay published in 1908, he denounced the culture of the city of Chicago as one marked by ugliness and vulgarity. In another in 1912, he defended strikebreakers in a local union dispute by telling pro-labor students that they were engaging in "sentimental anarchy."<sup>30</sup>

Shorey's unhappy memories of his time in Germany persisted through his subsequent career. When Jules Cambon, the French ambassador to the United States, visited Chicago in May 1901, Shorey was

29. Shorey to Payne, September 16, 1881; September 18, 1881; October 30, 1881; May 2, 1882; May 14, 1882; January 8, 1884, *William M. Payne Papers*, Newberry Library, Special Collections. I am grateful to Daniel J. Koehler for his discovery of the Shorey-Payne correspondence in this collection.

30. *Chicago Tribune*, February 6, 1908, p. 8; May 16, 1912, p. 3.

a member of the organizing committee. At a dinner in Cambon's honor, Shorey made remarks to the effect that "the University had followed too closely the German methods of education, and that it needed an injection of the French spirit to subdue its strength and earnest spirit into finer uses."<sup>31</sup> In 1911, Shorey authored a tough-minded critique of German educational practices in *The Nation*, entitled "American Scholarship." Shorey began by his essay by arguing that the current model of a research university in America was one that was staffed by scholars who were "made in Germany." This reliance on German training and values led to a maladjustment in which U.S. educational institutions were badly integrated into the culture of their own nation. What was most troubling was not the German innovations of the seminar, the doctoral dissertation, or the final oral examinations, which were in theory good innovations, but rather the "aims and ideals" of the system as a whole. What was needed was for Americans to "emancipate ourselves from slavish subservience to German influence without losing the lessons or forgetting the debt of gratitude that we owe to Germany." U.S. universities had the potential to have, more than their German counterparts, a "unity and continuity of culture, uninterrupted contact with the national life and education, and the more intelligent and sympathetic personal guidance" with students. Shorey saw the greatest need in encouraging general cultural training and erudition among U.S. graduate students, and for this the German universities were completely useless. Instead a slavish imitation of German methods resulted in younger scholars trained as pedants who practiced the "game of investigation" for its own sake which soon became a "parody of scientific research" consisting of a "pyramiding' of unverifiable hypotheses." What was wanted

31. *Chicago Tribune*, May 17, 1901, p. 3.

was a genuinely American tradition of higher education, which would be more closely integrated to English and French ideals of style, eloquence, and empirical restraint.<sup>32</sup>

Shorey's essay in *The Nation* would dog him throughout the next several years. A year after it was published, Shorey was nominated to hold the one-semester Roosevelt visiting professorship at the University of Berlin in 1913–14. Even though he called attention to *The Nation* article when he accepted the appointment to the professorship, he soon encountered hostile criticism on the part of those who felt that he had no business serving as a representative of America to the German academic world. Shorey wrote a long, exculpatory letter to Nicholas Murray Butler, who was president of Columbia University and had chaired the selection committee, protesting that quotations from the article in *The Nation* were being taken out of context and that he had in fact great respect for German culture and German literature, but the letter was uncharacteristically tame and unconvincing for a personality who indeed seemed to thrive on controversy, overstatement, and polemic involving German society and politics.<sup>33</sup> Since his primary responsibility was to deliver a cycle of public lectures on "American Democracy and Culture" in Berlin, Shorey found himself trying to explain American culture and society to German students by using the theme to elaborate the ways in which American democratic political and social practices influenced the development of a peculiarly American national literary culture over the course of the nineteenth century. Although he admitted that democracy

32. Paul Shorey, "American Scholarship," *The Nation*, May 11, 1911, pp. 466–69.

33. Shorey to Nicholas Murray Butler, December 27, 1912, *Paul Shorey Papers*, Box 2, folder 5.

might not be a self-evidently fortuitous milieu for the growth of a complex and rich culture, he insisted that American society was on a path to overcome its banality and superficiality, and that, to take but one concrete example, America would soon have a secondary educational system equal to that of the fabled German Gymnasien, which would make it much easier for the universities to produce a strong elite of powerful leaders. Ironically, at the end of the semester in February 1914, Shorey was honored at a dinner attended by over one hundred German scholars. At least one report of the affair indicated that in an impromptu speech he expressed regret at the formulations that he had used in the 1911 article, thus seeming to apologize for his expressions. Adolf Harnack, the distinguished biblical scholar and head of the Royal Prussian Library, was reported as declaring: "Shorey has put the German professors to shame by admitting that he could make mistakes."<sup>34</sup> In fact, Shorey had not changed his mind about Germany or German universities, although he did regret having mentioned several individual German professors by name in his broadside in *The Nation*.<sup>35</sup> Of course, this "relapse" was but a transient thing. During the crescendo of pro-British and French enthusiasm that took hold among the majority of the University's faculty during World War I, Shorey again adopted strongly anti-German attitudes and statements. In May 1917, for example, he warned that "Germany is already planning the next war. A negotiated

34. *Chicago Tribune*, February 22, 1914, p. 3.

35. "[E]verybody has read and sometimes quotes my unfortunate *Nation* article on German scholarship. I call it unfortunate because though all of it was true, it was not necessary to mention names as I did including by some perversity of fate three or four of the leading Berlin Professors." Shorey to Harry Pratt Judson, December 24, 1913, *PP*, 1889–1925, Box 60, folder 21.

peace that on any pretext leaves her in control of Central Europe is merely a truce in which she may prepare to fight on more favorable conditions. That is the alternative which the pacifist dupes of German propaganda refuse to face.<sup>36</sup>

Shorey was a brilliant teacher and a tough-minded critic who was fearless in criticizing the work of others. So one might write off his anti-Germanic invective to a general iconoclastic habit of mind, especially because he was deeply impatient with what he saw as abstruseness, verbosity, and pomposity (not to mention wrongheaded interpretations of Homer and Plato). Yet Shorey's life and career afforded the example of someone who quickly outgrew his German training and who, as he argued in *The Nation* in 1911, could legitimately invite U.S. students to stay in America for their academic training. As we have seen, even scholars like Breasted came to relatively similar conclusions, but without Shorey's active animus against German *Wissenschaft*. One suspects that, in the end, Shorey's dislike of imperial German politics and contemporary social mores deeply colored his readings of that nation's many outstanding scholarly and cultural achievements.

Of the early senior faculty at Chicago who had studied in Germany, Albion Small, the founder and first head of the Department of Sociology, was perhaps the one whose scholarship was most directly influenced by contemporary German scholars in his field. Harry Elmer Barnes and Ernest Becker have argued that Small's scholarly contributions were as significant to the field of institutional economics and political theory

36. Unpublished lecture notes for a war address, 1917, *Shorey Papers*, Box 42, folder 3, here pp. 17–19, 32. The *Chicago Maroon* published a version of this talk on May 4, 1917.

as to sociology, and certainly Small's investigation of the German cameralists would fall into this tradition.<sup>37</sup> Small studied in Berlin and Leipzig for the two years between 1879 and 1881. He never completed his doctorate, instead spending a year at Johns Hopkins in 1889–90 writing a dissertation under the direction of Herbert Baxter Adams. When Small returned to Germany in the summer of 1903, he found much that he disliked about the militarism that infused turn-of-the-century German political culture. In an interview in the *Chicago Record-Herald*, he insisted that many Germans had told him that they thought that war with America was inevitable because they believed that America's rising hegemony in world markets deeply threatened key German interests.<sup>38</sup> During World War I Small was staggeringly pro-Ally, attacking Prussianism and the militaristic spirit that it embodied as a kind of "resuscitated paganism," and after the war he continued to comment on his earlier personal experiences in Germany with biting irony.<sup>39</sup> Still Small devoted a great deal of time to studying and interpreting the work of major German social scientists, and he urged other graduate students to spend time in Germany as well. Traveling to Germany had also led to subtle changes in Small's personal values. Late in his life Small remembered that the

37. Harry Elmer Barnes, "The Place of Albion Woodbury Small in Modern Sociology," *American Journal of Sociology*, 32 (1926–1927): 43–44; Ernest Becker, *The Lost Science of Man* (New York, 1971), pp. 62–70.

38. *Chicago Record-Herald*, September 30, 1903, p. 9; Albion W. Small, "Will Germany War with Us?" *Collier's Weekly*, December 10, 1904, p. 23. Small provided a more subtle and reasoned explanation of his concern to the German Consul General in Chicago, Walter Wever. See Small to Wever, October 3, 1903, *Albion W. Small Papers*, Box 1, folder 15.

39. Albion W. Small, "America and the World Crisis," *American Journal of Sociology*, 23 (1917–1918): 145–73.

first time he had ever taken a walk with a girl on a Sunday afternoon was in Weimar in 1879. The young woman, the daughter of a German general, later became his wife. Growing up as the son of a Baptist minister in Maine in the 1860s and 1870s, where a strong residue of Puritan culture dominated public and private behavior, such "recreation" on the Sabbath — especially with a member of the opposite sex — would have been sternly forbidden. But in Germany, a new society in the old world, it seemed plausible and natural for the young graduate student.<sup>40</sup>

Small's adult intellectual universe was Protestant American and urban, but many of his key ideas and concepts — involving social process and social planning and the linear movement of society toward greater progress and unity under the sponsorship of an enlightened state — came from the German *Kathedersozialisten*, Adolf Wagner, Gustav Schmoller, and Wilhelm Roscher, with whom Small studied in 1879–81, and from subsequent engagement with the work of Albert Schäffle, Paul Barth, and Gustav Ratzenhofer.<sup>41</sup> Small's book on the German and Austrian cameralists published in 1909 was a searching effort to explain the origins of an elite-driven civic political system that was efficient, was goal-oriented, and would and could restore itself to achieve a more coherent and integrated civil society. He insisted that "Americans have much to gain from better understanding of the Germans" and "the efficiency of the

40. Albion W. Small, "The Life History of Albion W. Small," pp. 16–17, *Small Papers*, Box 4, folder 3.

41. See Jurgen Herbst, *The German Historical School in American Scholarship. A Study in the Transfer of Culture* (Ithaca, 1965), pp. 154–59, 192–96; *idem*, "From Moral Philosophy to Sociology: Albion Woodbury Small," *Harvard Educational Review*, 29 (1959): 227–44; and Axel R. Schäfer, *American Progressives and German Social Reform, 1875–1920: Social Ethics, Moral Control, and the Regulatory State in a Transatlantic Context* (Stuttgart, 2000), pp. 47–50.

German civic system is beyond dispute. As an adaptation of means to ends, it operates with a remarkably low rate of waste.”<sup>42</sup> He also believed that, in contrast to the financial and human wastage of the American system, “there is hardly room for debate upon the proposition that in sheer economy of social efficiency Germany has no near rival among the great nations.”<sup>43</sup> Small was thus deeply indebted to the ideas of the German collectivists, a policy perspective that Small saw as an alternative to both capitalism and socialism. Moreover, the organizational example of the German *Verein für Sozialpolitik* provided a model of collaborative professionalism and research proclivity that Small and other early social scientists sought to transplant to America. Small’s last book entitled *Origins of Sociology*, which was published in 1924, self-consciously bypassed the recent jingoism of the war, regretting the militaristic behavior of many German scholars but also insisting upon the theoretical import of their scholarship, and soberly acknowledged the huge intellectual debt that American scholars owed to their German counterparts.<sup>44</sup> Small insisted:

The entire tradition, of which we have indicated only some of the most outstanding elements . . . was partly the undivided inheritance with other heirs, partly the creation of the men who formed the *Verein für Sozialpolitik*. It determined their plane of thinking. It molded their attitudes. It formed their policies.

42. Albion W. Small, *The Cameralists. The Pioneers of German Social Polity* (Chicago, 1919), pp. vii, 586.

43. *Ibid.*, p. 17.

44. Albion W. Small, *Origins of Sociology* (Chicago, 1924), pp. 30–36.

Much of this tradition was mobilized in the formation of the American Historical Association. The American Economic Association was formed in conscious and avowed emulation of the *Verein*. Its organizers transfused the spirit and much of the creed of the parent body into the current of American thought. The American Sociological Society was incubated within the American Economic Association, with crossings from the Historical Association. The sociologists carried along the same tradition, and developed certain of its implication beyond the limit set by the historians or the economists.<sup>45</sup>

William Rainey Harper's own experience with German academic traditions came in two strikingly different ways. Harper read German, and he was deeply conscious of the way in which German biblical scholars shaped the basic paradigms of his scholarly field of Semitic studies. However, Harper never studied in Germany. His only personal foray into German scholarly life was in the late summer of 1891 when he attempted to buy the so-called Berlin Collection from S. Calvary and Company, a Berlin bookdealer on Unter den Linden. This collection, which was purchased at a cost of \$28,400, was touted as encompassing hundreds of thousands of volumes. But later investigations have significantly reduced the size of the collection that actually arrived in Hyde Park in June 1892 to about 58,000 books and 39,000 dissertations. Harper's subsequent attempts to obtain clear and reliable information about the discrepancy from his Berlin agents were deeply frustrating, but even what was delivered from Germany immediately gave the

45. *Ibid.*, p. 327.

fledgling University a splendid and rich collection of books and learned journals relating to European history and culture from the Renaissance to the eighteenth century.<sup>46</sup>

In a few cases, a whole department at the new University was shaped by German paradigms. The early Department of Mathematics at Chicago affords an example. Harper appointed Eliakim Hastings Moore, a specialist in algebra and group theory, as professor and acting head of the department in February 1892. Moore had spent a postdoctoral year in Germany after completing a PhD at Yale in 1885, and his own work was indebted to his work at Göttingen and with Leopold Kronecker at Berlin. Karen Parshall, Moore's biographer, suggests that "the ideas which Moore encountered in Germany dominated his mathematical thinking for the remainder of his career."<sup>47</sup> Moore also received an honorary degree from the University of Göttingen in 1899. A brilliant and determined administrator who had an "uncanny hunter's instinct" (Parshall and Rowe) both for identifying important new research problems and for discovering gifted students, Moore's early strategy for building his department focused on the recruitment of two talented German scholars.<sup>48</sup> Moore first hired Oskar Bolza, an expert in the calculus of variations

46. Robert Rosenthal, "The Berlin Collection: A History," in *The Berlin Collection. Being a History and Exhibition of the Books and Manuscripts Purchased in Berlin in 1891 for the University of Chicago by William Rainey Harper with the Support of Nine Citizens of Chicago* (Chicago, 1979), pp. 1–23.

47. See Karen H. Parshall, "Eliakim Hastings Moore and the Founding of a Mathematical Community in America, 1892–1902," *Annals of Science*, 41 (1984): 313–33, here 315.

48. Karen H. Parshall and David E. Rowe, *The Emergence of the American Mathematical Research Community, 1876–1900: J. J. Sylvester, Felix Klein, and E. H. Moore* (1997), pp. 435–36.

who had studied at the University of Berlin and with Felix Klein at the University of Göttingen. Bolza was already in the United States, having been recruited by G. Stanley Hall at Clark University, and was thus a ripe target for Harper and Moore. Bolza in turn insisted that Moore hire Heinrich Maschke, an expert in differential geometry and group theory, who had also studied with Klein at Göttingen as well as at Heidelberg and Berlin.<sup>49</sup> The three men worked together until Maschke's death in 1908. Even after Bolza returned to Germany, he maintained a link to Chicago in the special status of "non-resident professor of mathematics," which he enjoyed (with an unfortunate interruption during World War I) until his death in 1942. Together the three, in the words of R. C. Archibald, made the Chicago Department of Mathematics "unsurpassed in America as an institution for the study of higher mathematics."<sup>50</sup> Moore and Bolza were especially influential teachers who trained a number of promising doctoral students — among them Leonard Dickson, who was the first individual to receive a PhD in mathematics at Chicago, and Gilbert A. Bliss, who was chairman of the department from 1927 to 1941. Both Dickson and Bliss traveled to Germany for additional postdoctoral training (at Leipzig and Göttingen), suggesting that contact with European universities was proving to be a sustained, transgenerational phenomenon in mathematics, at least before World War I. Both Dickson and Bliss later served as president of the American Mathematical Society.

49. The sequencing of the two appointments, and their tactical interconnect-  
edness, is described in Parshall and Rowe, *The Emergence of the American  
Mathematical Research Community*, pp. 197–202, 286–93.

50. Raymond C. Archibald, *A Semicentennial History of the American Mathe-  
matical Society, 1888–1938* (New York, 1938), p. 145; and Parshall and Rowe,  
*The Emergence of the American Mathematical Research Community*, pp. 363–419.

The presence of the two German scholars gave the young department a research luster and orientation toward publishing that sometimes resulted in collisions with their younger American colleagues. This was apparent in Moore's refusal to promote to assistant professor a young American mathematician, Harris Hancock, who ironically was also trained in Germany and had been hired as a lowly "associate" in 1892, preferring to recommend him for an appointment at the University of Missouri, and that with a rather weak letter of support.<sup>51</sup> Harper, who by this time was acutely conscious of the importance of quality undergraduate teaching, took issue with Moore, arguing: "I am sorry that I cannot quite agree with you in the recommendation of Hancock to be head of the Department of Mathematics in the University of Missouri. If he is good enough for that, he is certainly a strong man for us as instructor or assistant professor. Besides, if he should go, he would go as an enemy of the University, and I do not think it wise to place an enemy in so important a position. I think it better to hold him here for at least another year or two."<sup>52</sup> For his part Hancock was convinced that the "foreigners" (meaning Bolza and Maschke) in the department were holding him and other younger instructors back, a charge that Moore did not really reject. Moore argued instead that "[I]n the domain of mathematics, as teachers, critical scholars, and investigators, Bolza and

51. Moore assessed Hancock in 1896 with the comment that "I do not find in Mr. Hancock any well-marked note of mathematical originality, independence, or soundness. He does have industry and will undoubtedly do considerable compilation work." Moore to Harper, January 31, 1896, *Harper Administration*, Box 22, folder 7.

52. Harper to Moore, June 22, 1898, *Harper Papers*, Box 4, folder 8.

Maschke are today, in my judgment, far superior to what Hancock, Boyd, and Slaughter will ever become."<sup>53</sup> A year later, this theme emerged again when Harper responded to comments by Moore about the value of research over teaching by observing:

With some of the propositions which your letter contains I agree. With some I do not agree. The first is not correct. The undergraduate work is essential and as important as graduate work. I would not say that the undergraduate work is primary and the graduate work secondary, nor, on the other hand, would I say that the graduate work is primary and the undergraduate work secondary. They are of equal importance. I do not know that I can agree with you on your second proposition, that the whole corps of instructors should be made up of instructors who are primarily successful producers [of research]. In my opinion, it is as important to have good teachers as to have good producers, and in my opinion there are good teachers who are not good producers.<sup>54</sup>

Harper's comments to Moore were part of a larger readjustment on his part to the importance of teaching and reflected his sense that the

53. Moore to Harper, June 28, 1898, *PP, 1889–1925*, Box 17, folder 2. Harper eventually changed his mind about Hancock, and terminated his position in early 1900 because of "the friction which has attended your presence during these last years." Harper to Hancock, January 31, 1900, *Harper Papers*, Box 5, folder 12.

54. Harper to Moore, March 1, 1899, *Harper Papers*, Box 4, folder 24.

German model, in its worst manifestations, could generate a disregard for undergraduate teaching. This may explain Harper's eventual reluctance to hire Americans who were returning from long stays in Europe. He told Ella Young in 1899 that he insisted they spend at least two years elsewhere in America before he would consider them for a job at Chicago:

in my opinion it requires at least two or three years for a student who has studied five years abroad to become Americanized so as to take a satisfactory position in an American institution[.] On account of my knowledge of the facts in the cases of so many American students who have taken a German Doctorate, I have practically refused to consider applications from such persons until they have been back in the country at least two years. I understand there may be exceptions, but the exceptions are so few in my observation that it has practically become a working rule for me.<sup>55</sup>

Harper's concerns notwithstanding, Eliakim H. Moore's liking for German-trained scholars did not cease, for he recommended the appointment of Ernest J. Wilczynski to succeed Oskar Bolza in 1910. Wilczynski was born in Hamburg, Germany, grew up in the United States, and returned to Berlin to take his PhD in 1897. He started his career at Berkeley as an assistant professor in 1902, and then he accepted an appointment at the University of Illinois from 1907 to 1910. His coming to Chicago had long been lobbied for by Kurt Laves, another Berlin-trained colleague who had taught astronomy at the University of Chicago since 1893 and who tried to identify an academic position for

55. Harper to Ella Young, January 28, 1899, *ibid.*, folder 22.

Wilczynski at Chicago as early as 1897.<sup>56</sup> Such informal networks among the émigré scholars must have been strong, especially given the lack of job security that the younger foreign scholars faced.<sup>57</sup>

Many other examples of German influences on the early faculty were evident, among both senior and junior faculty. The first head of the Department of Chemistry was John U. Nef, an American-born chemist who spent three productive and happy years in Munich working with the great German chemist and Nobel laureate Adolf von Baeyer. Nef received his PhD in 1889, with the honor of summa cum laude, and Baeyer is reputed to have told his colleagues at the time that Nef was one of the best students he had ever had.<sup>58</sup> Nef's subsequent scholarly career was heavily indebted to the institutions of the German academic world: of the forty scientific articles that he published over the course of his career between 1883 and 1917, twenty-seven were written in German and appeared in journals published in Germany, particularly *Liebigs Annalen der Chemie*. Nef left Germany with a strong sense of what it meant to belong to a scientific faculty. He was one of the contingent of faculty rebels who resigned from Clark University in 1892 and came to the University of Chicago because of President G. Stanley Hall's perceived disrespect for faculty rights, and he became an equally staunch

56. Laves to Wilczynski, August 31, 1897; October 23, 1897; March 2, 1910; May 1, 1910, *Ernest Wilczynski Papers*, Box 2, folder 2.

57. Laves insisted that Wilczynski and he were targets of possible exploitation ("wir hier trotz allem und allem as foreigners behandelt werden, die man nur nimmt wenn man muss and sie los zu werden sucht so bald es geht"). Laves to Wilczynski, April 23, 1898, *ibid.*

58. See the handwritten biographical sketch of Nef by his son, John U. Nef Jr., in the *John U. Nef Sr. Papers*, Box 1, folder "Biographical Materials."

defender of departmental autonomy at Chicago. Nef's later opposition to Harper's efforts to provide more resources for undergraduate teaching was cast in affective terms and used an historical claim that made perfect sense in terms of Nef's experience of what a "true University" had to be:

It is generally understood that the development of the university in undergraduate numbers during the past 10 years has been made at the sacrifice of research and of the graduate schools. Research work at the University has simply been tolerated but never recognized as its highest function; otherwise there would have been an endowment for use in research only which could never be directed to other purposes and the needs of research would not always be postponed because the needs of instruction are pressing. In the end such a policy is bound to be ruinous, for time and experience have proved beyond doubt that the life and soul of a true University lies in those gifted men who are capable of extending the bounds of existing knowledge.<sup>59</sup>

Other German-trained scholars, like Ferdinand Schevill of the Department of History who took his PhD at Freiburg under the direction of Hermann von Holst, more easily bridged the gap between graduate and undergraduate instruction, and made names for themselves by writing popular as well as professional scholarship. Still other European-trained scholars had a strong collegial impact, even if not in the domain of original research. Adolf Carl von Noé came from Graz, Austria, and after

59. Handwritten memorandum of Nef, most likely to Harry Pratt Judson, December 1906, *ibid.*, folder "1902-1906."

studies at Graz and Göttingen ended up in Chicago where he took both a BA and a PhD. Noé began his career at Chicago in 1904 in Germanic languages. But after 1920 he moved into geology and paleobotany, in which he had also had prior university training. He eventually became an expert in world coal formations, and he was one of the designers of the underground coal mine at the Museum of Science and Industry.<sup>60</sup> Noé, who was also deeply involved in creating the American Committee for Vienna Relief in 1920, was able to raise thousands of dollars to send to impoverished Viennese from wealthy Chicagoans, including persuading Harold H. Swift to contribute \$300 a month for many years toward this cause.<sup>61</sup> In 1929, Noé's eldest daughter, Mary Helen, married Robert S. Mulliken, the Chicago Nobel laureate in chemistry, who himself had collaborations with several distinguished European scientists in the 1920s and 1930s (particularly with Friedrich Hund of Leipzig, with whom he developed the molecular orbital theory).<sup>62</sup> The early German and Romance language departments also hired Central European scholars—including Camillo von Klenze, a Swiss national who had a Harvard BA and who had studied for his doctorate at Berlin and Marburg; and Hans M. Schmidt-Wartenberg, who was born in Germany and trained at Jena, Berlin, and Cornell, and who ended up in endless feuds with his colleagues (particularly Paul Shorey), accusing

60. See Robert S. Mulliken, *Life of a Scientist. An Autobiographical Account of the Development of Molecular Orbital Theory with an Introductory Memoir by Friedrich Hund*. Edited by Bernard J. Ransil (Berlin, 1989), pp. 69–70.

61. In so doing, Noé was able covertly to support his relatives in Austria, which suggested that he had not lost a traditional Austrian sense of private patronage.

62. See R. Stephen Berry, "Robert Sanderson Mulliken, 1896–1986," National Academy of Sciences, *Biographical Memoirs*, 78 (2000): 3–20.

them of anti-German prejudice and becoming a source of considerable frustration to Harper.<sup>63</sup>

Perhaps the most fascinating example of the early internationalism of the University was the case of Hermann von Holst, and von Holst leads us back to the visit of the German professors in March 1904. von Holst was certainly the most distinguished European academic recruited by Harper for full-time service in the early faculty. A chaired professor at the University of Freiburg and the author of the monumental eight-volume *Constitutional and Political History of the United States* (published in English translation between 1876 and 1892), von Holst had already rejected offers of professorships at Johns Hopkins and Clark. Harper's vision of a great new university in the middle of the vast continent intrigued him, however, and von Holst eventually succumbed to Harper's urgent appeals. When he appeared in Chicago in late 1892 he brought with him clear professional expectations about the life of a full professor, and Harper was forced to accommodate these demands. Benjamin S. Terry, a younger American scholar working on his PhD with von Holst at the University of Freiburg who assisted Harper in conducting the negotiations with von Holst in the fall of 1891 and winter of 1892 (and who was also hired by Harper as a professor at Chicago), wrote candidly to a confidant of Harper about the danger of intruding on the sense of sovereignty that the senior German scholar brought to his vocation:

The man who has spent his active life in a German university makes much of 'Lehrfreiheit'. Von Holst is like the rest of them.

63. See Schmidt-Wartenberg to Harper, February 20, 1904, *PP, 1889–1925*, Box 16, folder 11. See also Algirdas Sabaliauskas, "Hans M. Schmidt-Wartenberg: A Forgotten Balticist," in Philip Baldi and Pietro U. Dini, eds., *Studies in Baltic and Indo-European Linguistics in Honor of William R. Schmalstieg* (Amsterdam, 2004), pp. 153–55.

I do not believe that you will get him to enter into any stipulation as to the number of hours per week [of teaching] in the amount or kind of work that he is to do. He simply asks for the liberty to do what he shall think is best for his department and for his work. He asks for *confidence* on the part of the authorities. Harper cannot do better than commit this whole matter to von Holst himself. You need have no fears that he will not earn his salary. As a simple advertisement, all that he costs will be well spent. More than that, he is much more widely known, and has a much more extensive personal acquaintance among wealthy Germans of America than I think you are aware of, to say nothing of his wide acquaintance with the eminent men of his own department in both Europe and America.<sup>64</sup>

The prospect of hiring Hermann von Holst did not meet with universal approval, generating on the part of a few subtle pangs of resentment and jealousy. Harper's second-in-command at the early University, Harry Pratt Judson, disliked what he saw as Harper's far too inflated estimation of the impact of German scholarship on the American universities. He stubbornly opposed Harper's decision to appoint von Holst, urging against the "slavish imitation of foreign ideas" and insisting that "American scholarship should be inspired by ideals materially different from those of Germany. The motives, methods, and spirit of an American department of history . . . would in many essentials be radically antagonistic to those of a German university." But Judson also resented the fact that a German national would lead a department of which he, Judson, would be a member:

64. Terry to Eri B. Hulbert, December 27, 1891, *Harper Papers*, Box 14 folder 8.

I dislike the idea of a foreigner at the head of such a department in an American university. It seems to me that departments involving American history, American literature, and American politics should be in charge of Americans, if possible. Personally, I must confess that I don't fancy having to work under a German. I doubt if many American professors would.<sup>65</sup>

Deciding to ignore Judson's petulance, Harper proceeded to follow Terry's advice and successfully recruited von Holst. Given his age and troubled medical condition—he was on medical leave for serious gastrointestinal troubles for a significant part of his seven-year tenure—von Holst did not develop a significant school of doctoral disciples in the time before he returned to Germany in 1900. He did have a powerful personal impact on the formation of the early faculty of the Department of History, in that both Benjamin Terry and Ferdinand Schevill had been his doctoral students at Freiburg, but his impact in the larger development of American historiography before 1914 was limited to the scholarship that he had produced at Freiburg.<sup>66</sup> In his willingness to speak his mind on controversial public issues, such as

65. Judson to Harper, December 23, 1891, and December 25, 1891, *Harper Papers*, Box 9, folder 10.

66. See Eric F. Goldman, "Hermann Eduard von Holst: Plumed Knight of American Historiography," *Mississippi Valley Historical Review*, 23 (1936–1937): 511–32; as well as Jörg Nagler, "A Mediator between Two Historical Worlds: Hermann Eduard von Holst and the University of Chicago," in Henry Geitz, Jürgen Heideking, and Jürgen Herbst, eds., *German Influences on Education in the United States to 1917* (Cambridge, 1995), pp. 257–74; and Hans-Günter Zmarzlik, "Hermann Eduard von Holst," in Johannes Vincke, ed., *Freiburger Professoren des 19. und 20. Jahrhunderts* (Freiburg am Breisgau, 1957), pp. 21–76.

denouncing American foreign policy in Latin America in 1895 and the American annexation of Hawaii in 1898 (much to Harper's chagrin and embarrassment) and in his staunch protection of his own *Lehrfreiheit*, however, von Holst served as a powerful example to his local Chicago colleagues of a senior German *Ordinarius*, and the freedom that von Holst claimed and regularly practiced must have offered an alluring model for other senior members of the faculty of the early University.<sup>67</sup> Even in the face of Harper's displeasure, von Holst insisted that faculty were "not slaves but free men, everyone entitled to his own opinion and free to avow them."<sup>68</sup>

Von Holst was a tough advocate of academic quality control, and more than once he sent Harper comments to that effect. In the case of a Mr. Jude, von Holst wrote that "it would not be calculated to build up its reputation for a high standard if higher degrees were frequently conferred upon students of Mr. J's intellectual caliber."<sup>69</sup> He also urged Harper to treat graduate students like adults, and he defended the autonomy and freedom that he accorded to graduate students taking his seminar by insisting:

The work as conducted by myself does not admit of controlling the time spent by the students from day to day or even week to week. I necessarily must put the students upon their honor and

67. See "Is Fiat of a Dictator," *Chicago Tribune*, December 19, 1895, p. 2; "Von Holst Stirs up War," *ibid.*, December 22, 1895, p. 1.

68. Von Holst to Harper, December 22, 1895, *PP*, 1889–1925, Box 85, folder 2.

69. Von Holst to Harper, June 29, 1895, *ibid.*

try to make them realize that they do not work for my benefit, but for their own. It is, of course, possible that some of them abuse of this, but to judge from the apparent interest manifested by the class in the work I have no reason to suppose that there are many who do so, if indeed any. If there be any I am at a loss to see how I could help it. For it would be unjust to the students and derogatory to the interests of the University to make the great majority of the conscientious students pay the penalty for any dereliction of duty on the part of a few by changing the character to the work, i.e., by lowering it from the University standard to that of the college.<sup>70</sup>

This image of a famous senior professor steeped in the dignity and independence of the academic calling and defending uncompromising ideals of teaching must have offered his younger colleagues on the Chicago faculty a powerful model for their own professional self-development.

Von Holst's health forced him into early retirement in 1900. He returned to Europe, where his medical condition — intestinal ulcers — continued to worsen. In early 1903 J. Laurence Laughlin, the head of the Department of Economics, proposed that the University commission an oil portrait of von Holst. Laughlin had become an admirer of von Holst's courage in defending faculty rights and his high academic standards during their shared tenure at Chicago, and von Holst had published a trenchant essay attacking Eugene Debs and the role of the labor unions during the Pullman Strike in Laughlin's new journal, the *Journal of*

70. Von Holst to Harper, December 24, 1895, *ibid.*

*Political Economy*.<sup>71</sup> The University Senate approved Laughlin's proposal, and within several months Karl Marr, a noted German-American painter living in Munich, was busy at work on a full-length oil portrait of von Holst. Laughlin wrote to von Holst's brother, Mathias von Holst, who undertook the negotiations with Marr, that the faculty wanted "a work of art, as well as a characteristic portrait of a great scholar . . . we wish the character of the von Holst we knew and loved and admired in America." Laughlin specifically wanted "a portrait such as Lenbach would have painted in his earlier years."<sup>72</sup> Marr agreed to take the commission for a fee of \$4,000. Ironically Marr himself had once observed von Holst lecturing in Freiburg, while visiting a friend at the university there, and he had been tremendously impressed with the historian's demeanor.<sup>73</sup> Marr completed his assignment within six months, shipping it to Chicago in early August 1903. Marr's portrait of Hermann von Holst, which now hangs in the history department's common room in the Social Science Research Building, portrays a serious, independent-minded,

71. Hermann von Holst, "Are We Awakened?" *Journal of Political Economy*, 2 (1893–1894): 485–516. Laughlin commissioned this article from von Holst, insisting that "[y]ou cannot afford to keep silence. You could do a great good, with your authority and prestige, by saying the strong and courageous word." Laughlin to von Holst, July 10, 1894, *Hermann von Holst Papers*, Box 12, folder 9. Laughlin's proposal to honor von Holst in 1903 may have also been influenced by his view that William Rainey Harper had grown too powerful as President. Laughlin wrote to von Holst in early 1902 complaining that "Harper is more an absolute monarch than ever." Laughlin to von Holst, March 22, 1902, *ibid.*

72. Quoted in Mathias von Holst to Karl Marr, March 18, 1903, *J. Laurence Laughlin Papers*, Box 1, folder 2.

73. Marr to Mathias von Holst, March 19, 1903, *ibid.*

senior scholar, who is unencumbered by the cares of the world and oblivious to local intramural university politics as well.

Once the preparation of von Holst's portrait was underway, the question then became how to structure its dedication ceremony. Clearly, here was an opportunity for public visibility as well as remembrance and celebration. J. Franklin Jameson, who had succeeded von Holst as head of the Department of History, recommended on behalf of his department that the University invite the distinguished German theologian Adolf von Harnack to come to Chicago to speak at the ceremony and to receive an honorary degree. Initially the Senate agreed to this idea, but J. Laurence Laughlin soon intervened with what he believed to be a better idea. Namely, why not invite four or five distinguished German scholars to come for this event, giving all of them honorary degrees? Laughlin believed that the German government was much more likely to support such a venture if a number of distinguished scholars was involved, and the significance of the ceremony would be all the greater. Laughlin's idea was immediately adopted, and the various faculty groups set to work coming up with lists of names of possible Germans who might be invited to receive honorary degrees.<sup>74</sup>

The process went through several elaborations, as names of possible German professors worthy to receive honorary degrees went on and off the lists. It soon became apparent that the visits could not be arranged for October 1903, when the dedication ceremony for von Holst's painting was scheduled. The Senate therefore decided to uncouple the two events, allowing a smaller and local ceremony for von Holst's portrait in October

74. *Minutes of the University Senate*, June 6, 1903, June 17, 1903, June 20, 1903, July 1, 1903, and October 31, 1903.

and resolving to dedicate the March 1904 convocation in honor of the visiting Germans, thus making the latter event a day of German-American honorifics.

For the dedication ceremony of the portrait in mid-October, Harper, Jameson, and Laughlin all delivered stirring commendations of von Holst, as a scholar and an academic citizen. Although the speakers praised von Holst's scholarly contributions, it was his moral leadership and professional ethics that they most emphasized. When Laughlin praised his friend's demeanor as that of "[a] whole mighty spirit—a great moral force—blazed and gathered in his commanding attack," he summed up the substantive importance of von Holst for the early University faculty. For Laughlin "[t]he one striking impression that he made, within the University and without, was that of a great moral force. With his students, as with the public, he not only set the chords of right and wrong to vibrating afresh, but he set every conscience on the right key."<sup>75</sup>

This left the Senate with a second opportunity for public display of value-laden rhetoric about the debt of the University to German science. Walther Wever then entered the picture. Wever was an incredibly energetic consul general of Germany from 1900 to 1908 in Chicago, who saw as his personal and professional mission the cementing of good relations between America and Germany and who believed that one facet of this process could be undertaken by bringing German and American universities closer together. During his eight years in Chicago, Wever undertook a number of imaginative ventures that included the creation of professorial exchange programs. He also functioned as an informal

75. John Laurence Laughlin, "Life and Character of Professor von Holst," *University Record*, 8 (1903–1904): 161–69, here 161, 167.

fund raiser for the University, persuading Catherine Seipp, widow of wealthy German-American businessman Conrad Seipp, to give a gift to subsidize prizes for the best essays written on German literature and culture. Wever was also well placed in German administrative politics, since his older brother, Hermann Wever, was a high-ranking civil servant in the Prussian Ministry of Culture in Berlin, where he was quietly able to support his brother's schemes. With Walther Wever's support, invitations were sent to five leading German scholars, asking them to journey to Chicago for a special event honoring the impact of German academic culture on the new University of Chicago. These visits were subsidized by the imperial German government and local German businessmen, through the mediation of Wever.<sup>76</sup> The senior faculty organized an elaborate convocation in late March 1904, at which five honorary degrees were awarded. The honorees were Berthold Delbrück, Professor of Sanskrit at Jena; Paul Ehrlich, Professor of Medicine at Berlin; Wilhelm Herrmann, Professor of Theology at Marburg; Josef Kohler, Professor of Law at Berlin; and Eduard Meyer, Professor of Ancient History at Berlin. All were eminent authorities in their scholarly fields, and as a group they represented a high level of distinction that must have confirmed the hopes of the organizers who wanted to create a strong

76. Meetings of July 1, 1903, and February 28, 1904, *Minutes of the Board of Trustees*. ("Dr. Judson explained that the German government was much interested in the visit of distinguished German scholars to the University of Chicago and that the Germans of Chicago were also interested in assisting in the payment of the necessary expenses, and that it was confidently believed that the larger part of the \$2,500 would be contributed.") The Board authorized the University to cover up to \$1,000 of this amount, the remainder to be paid by the Germans.

public symbolic gesture.<sup>77</sup> Arriving in Chicago in mid-March 1904, the German scholars were honored at various dinners and receptions, including a huge public reception at the Auditorium Hotel attended by no less than five thousand guests, with the scholars entering the room accompanied by a march from Wagner's *Tannhäuser*.<sup>78</sup> Two days later, on March 22, 1904, John Coulter gave the speech at the convocation that I have already referenced, proclaiming the University's allegiance to the values of *Lehrfreiheit* and *Lernfreiheit*. But the most remarkable speech of the day was given by William Rainey Harper himself. In introducing the ceremony, Harper insisted that the University owed much to the "ideals of German scholarship" and was greatly indebted to German intellectual life. But he also used the scene to paint a larger picture of the importance of international contacts and connections to the University as a whole. Reprising his 1899 address at the University of California–Berkeley on "The University and Democracy," Harper now insisted that universities were among the most powerful agents of international understanding and comity, and that their capacity to sponsor and encourage an "intermingling" of "widely diverging ideas" was bound to lead to closer connections between the nations of the world. The University was thus

77. Berthold Delbrück's biographer recounts the charming story that Delbrück was held in such high esteem during the Atlantic voyage that he was invited to sit next to the captain of the ship each evening as an honored guest, and he further reports, "Die ganze Reise war für ihn etwas sehr Erhebendes. Mit wahrer Freude konnte er später davon erzählen. Der Eindruck, den die aufstrebenden amerikanischen Universitäten auf ihn machten, war sehr günstig." See Eduard Hermann, *Berthold Delbrück. Ein Gelehrtenleben aus Deutschlands grosser Zeit* (Jena, 1923), pp. 110–11.

78. See Mortimer Chambers, "The 'Most Eminent Living Historian, The One Final Authority': Meyer in America," in William M. Calder and Alexander Demandt, eds., *Eduard Meyer. Leben und Leistung eines Universalhistorikers* (Leiden, 1990), pp. 105–6.

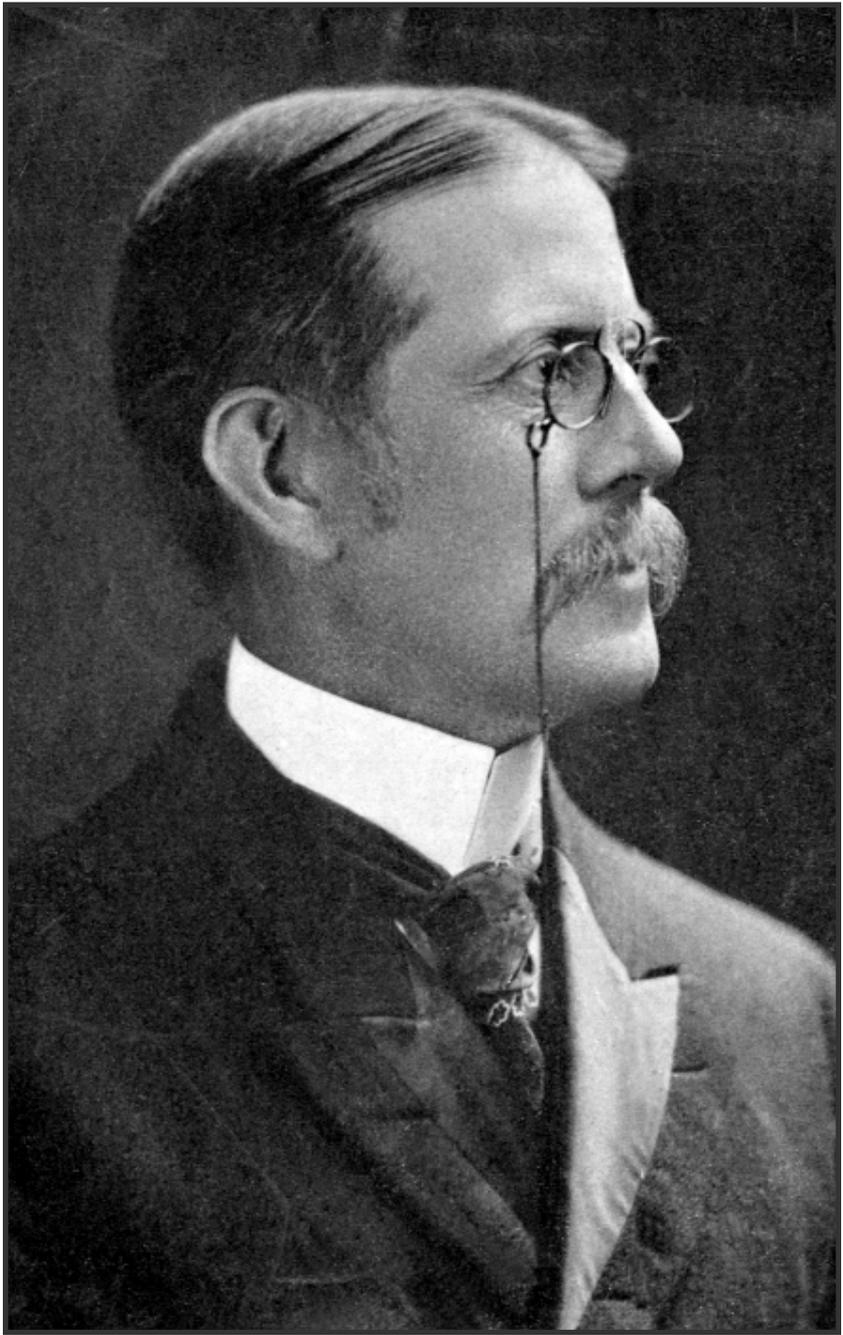
a mediator not only of ideas but also of peoples, for its function was “to lead the souls of men and nations into close communion with the common soul of all humanity. This is a work which universities in the past have accomplished and which, perhaps, they are doing today more largely than ever before.”<sup>79</sup>

Harper thus exploited the eagerness of the imperial German government and the local German community in Chicago to practice transnational *Kulturpolitik*. The self-confident desires of his own colleagues to bask in the light of German *Wissenschaft* in order to reveal their own significant research accomplishments led them to stage an academic event that both highlighted the progress that the University had made in becoming an international research university and formally acknowledged the intellectual debts that the University owed to a selective appropriation of German university practices and traditions. To Charlemagne Tower, the U.S. ambassador to Germany, Harper later insisted that the convocation had been a “great success” and that in fact “[i]t is the greatest event that has happened in the history of the University.”<sup>80</sup>

At the end of Walther Wever’s service as consul general of Germany in Chicago in 1908, a group of senior faculty members, led by Albion Small and James Tufts, urged the University to award him an honorary degree. They justified this extraordinary act by arguing that he had provided “conspicuous service to his own country and to this city,” creating a relationship to the University that was “without parallel in this or any

79. William Rainey Harper, “A Function of the University,” *University Record*, 8 (1903–1904): 347.

80. Harper to Tower, March 26, 1904, *PP*, 1889–1925, Box 81, folder 5.



*James L. Laughlin*

other country.” The sponsors were especially grateful that Wever was “largely instrumental in bringing about the visit of the distinguished German scholars to the University in the spring of 1904, which served to cement our friendly relations with the German academic world.”<sup>81</sup>

The October 1904 celebration inaugurated a series of other transactions. As mentioned, Wever worked assiduously to create a program of exchange professorships that eventually sent John Matthews Manly and Albert Michelson to the University of Göttingen and J. Laurence Laughlin to the University of Berlin and that also invited Hermann Oncken, Heinrich Kraeger, Ernst Daenell, and Lorenz Morsbach to Chicago. What is particularly important about this process is that it was a powerful signal of growing equality and independence that Chicago would now send “its” senior *Ordinarien* (as they were perceived by the German academic community) to Europe. No longer was the University dependent on German culture, but it now had something to offer in its own right. Moreover, a heightened sensitivity to the University’s own status was evident when Judson wrote to Wever in 1908, complaining that while he had sent John Matthews Manly, “one of our professors of the highest rank,” to Göttingen, the Germans had sent a mere associate professor to Chicago, a fact that Judson took to be insulting.<sup>82</sup>

The March 1904 convocation thus had a fascinating history. It began as an act of reverence for our one locally distinguished German

81. *Minutes of the University Senate*, October 24, 1908, pp. 377–78.

82. Judson to Wever, August 20, 1908, *PP, 1889–1925*, Box 46, folder 4. For the general context of these exchanges, see Bernhard vom Brocke, “Der deutsch-amerikanische Professoren Austausch. Preussische Wissenschaftspolitik, internationale Wissenschaftsbeziehungen und die Anfänge einer deutschen auswärtigen Kulturpolitik vor dem Ersten Weltkrieg,” *Zeitschrift für Kultur-austausch*, 31 (1981): 128–82.

*Ordinarius*, Hermann von Holst. But it quickly turned into a calculated and shrewd attempt to elevate the young University to a level such that other senior German *Ordinarien* would not only want to visit but also from which they would gladly receive honorary degrees. This exchange captured magnificently the subtle impact of German research tradition on a university that had already emerged as the anchor of scholarly prestige of the American Middle West. The many Chicago faculty who had studied at one or more German universities had brought back with them not an innocent or even a naïve nostalgia, and certainly not any admiration for the autocratic politics of the German government. Nor were they oblivious to the obvious structural differences that later scholars have insisted upon between the German and the American research universities. But what they did take from the German model was its high valuation of the authority of scientific thinking, the importance of truth telling and scholarly discovery, the prestige of intellectual erudition, the need to create institutional arrangements like large libraries and scientific laboratories to advance the discovery of new knowledge, and the powerful independence of the senior faculty as the corporate group in university life. Their idealization of German *Wissenschaft* was sober and selective, and they knew exactly what they were borrowing and what they disdained to borrow. So large and capacious was this influence that even John Coulter, who had never studied in Germany, could easily cloak himself in the mantle of German scientific practices. It was particularly important that Harper, who had himself never studied for a day at a German university either and who must have felt slightly uneasy about displaying his still very young and unfinished university to senior scholars from Germany, was still willing to take the chance of staging what he later felt to have been a remarkable event that signaled both the bold self-confidence and the hybrid internationalism of the early University.

I N T E R L U D E :  
W O R L D W A R I



Andrew McLaughlin, the third chair of the Department of History at Chicago, wrote to a colleague in June 1916 complaining that he resented the “hysteria which has drowned out all discussion of matters of very vital interest and obscured the real lessons of the war.”<sup>83</sup> The war did in fact severely strain international friendships and frayed transnational loyalties both among and within the faculty. E. H. Moore wrote to Oskar Bolza in September 1914, asking if it could really be true that German university professors were strongly supporting the war (“That was hard for me to believe.”), and hoping that “in recompense for the untold suffering being caused by the war the statesmen of the world in settling the terms of peace may be able to secure some marked permanent improvement in the basis of international relations.” A year later, when it was clear that this would not be a short war and that sides had been drawn in America, Moore wrote more cautiously and diplomatically that he appreciated Bolza’s understanding of “how natural and indeed inevitable it was that the dominance of sympathy of our people should lie heavily on the side of the allies of Great Britain.” Moore further admitted that “most of our people feel that for us the principal issue in the war is the conflict between two opposing ideals of the State, ideals indicated roughly by the words democratic and absolute.”<sup>84</sup>

83. McLaughlin to J. Franklin Jameson, June 7, 1916, *Andrew C. McLaughlin Papers*, Box 2, folder 2.

84. Moore to Bolza, September 18, 1914, and December 8, 1915, *Eliakim Hastings Moore Papers*, Box 1, folder 12.

Further polarization resulted from the entry of the United States into the war in April 1917 and the heightened anti-German stance of the University administration led by Harry Pratt Judson. Judson did all that he could to mobilize anti-German sentiments on the campus, from encouraging students to volunteer for the new military science program that he had established in late 1916 and personally drilling students on Stagg Field to leading war bond solicitations and giving anti-German speeches to the community. The decision of the Board of Trustees in 1917 to purge enemy aliens from the membership roll of the faculty meant that Oskar Bolza's nonresident professorship was abolished. Moore must have felt badly about this, and in April 1924 he urged Ernest DeWitt Burton, who had succeeded the anti-German minded Judson as President in 1922, to restore Bolza's previous status, a move to which Burton readily agreed. Bolza was pleased to accept this reappointment, but also insisted that the action of the Trustees in 1917 had caused him "deep sorrow and injury," and hoped that their willingness to reverse themselves in 1924 was a sign that the Board regretted "the injury done me formerly."<sup>85</sup>

The zenith of anti-German animus came in March 1918, when the Board of Trustees voted at Judson's urging to rescind the award of an honorary degree that the University had presented in June 1911 to Count Johann von Bernstorff, the former German ambassador to the United States. As it did for the United States at large, the war thus divided our university. In its aftermath, international relationships might slowly be restored, but the extraordinary, if also deeply complex, admiration for things German and more broadly European that was so evident before 1914 was never to return. By the 1920s, it was clear that the great American

85. Bolza to J. Spencer Dickerson, May 31, 1924, *Harper Administration*, Box 22, folder 7.

universities had found their own identity. Writing to a colleague in California in 1925, Adolf von Noé observed that European scholars could no longer presume that, merely because they had generated a list of publications at their home university, they would be eagerly welcomed in the United States, and that “America has become more or less self-sufficient along scientific lines, and foreign visitors who do not receive a special invitation to lecture should be discouraged.”<sup>86</sup> The end of the war brought peace, but it did not bring a wholesale return to European study. Part of the change was the result of the maturation of graduate study in the United States and the feeling of many U.S. graduate students that American doctoral programs were now so rigorous and prestigious that the need for foreign study had been obviated. This view was reflected by Andrew McLaughlin, chair of the Department of History, when he commented in late 1918 to C. H. Firth of Oxford:

The situation is such that we do not expect that a very large number of students will go to any European country for graduate work. One reason for this is that students going abroad for prolonged study are likely to find when they come back to the United States that they have lost touch with the academic world and with the university professors. To some extent this absence of intimate relationship with any particular university reacts unfavorably on a student's chances for recognition, or, to put it more flatly, reacts unfavorably upon his opportunity to get a position to teach. . . . But in addition to that our universities have developed to such a stage that students find here thoroughly organized graduate courses meeting their requirements

86. Noé to H. J. Achard, June 2, 1925, *Adolf von Noé Papers*, Box 4, folder 9.

and the great body of them are likely to remain here and not be tempted to go abroad.<sup>87</sup>

And some of the young Americans who ventured to Europe did so with an air of skepticism, both about the state of the Old World and about the fustiness of its academic customs. Describing a group of English academics he met in London, the young Harold Lasswell reported to Charles Merriam in 1923:

I am the despair of the very small group which I have touched because of the obstinate stand I have taken against choosing a detailed subject of historical periodicity and digging in. They don't think my method is research, and I am so interested listening to them that I haven't taken the trouble to explain myself. . . . Believe us, there is a young army of ancient traditions to be busted in this academic work. . . . or what is more probable, there is a young tenderfoot who is going to get bused by the aforesaid army. However, I think I know what I am after, and I am taking every opportunity to get it by casual discussion and the like. I like the journalists and the Foreign Office people whom I have met much better than the academicians.

Yet, along with this studied, cocky insouciance toward the English scholarly world, Lasswell left little doubt about his general sense of the permanency of British imperial values: "Curious atmosphere, this, near

87. McLaughlin to C. H. Firth, November 5, 1918, *McLaughlin Papers*, Box 2, folder 6. See also William W. Hoffa, *A History of US Study Abroad: Beginnings to 1965* (Lancaster, PA, 2007), p. 34.

the decaying corpses of personalities and nations dead and dying. A living perception of the antagonisms of race, economic interest and the rest (coupled with the unconscious fetters of society) somehow gives one a chill of the disenchanting soul. The men who think in England are peering into a future for them very black.”<sup>88</sup>

Americans may no longer have felt compelled to travel to Europe after 1918, or at least to evaluate their experiences in overly pietistic frames of mind, but the same could not be said for students coming in the other direction. In fact, after 1918 the University of Chicago profited from its newly won prestige and continued prosperity, becoming a destination for hundreds of foreign students from abroad. The University thus replicated in a mirror image the process that its own faculty had undertaken in Europe before 1914. By 1923, 432 foreign-born students representing 41 countries were registered in various academic programs at Chicago, across all departments and schools.<sup>89</sup> Several younger Europeans who came to Chicago in the 1920s to seek their professional and intellectual fortune ended up staying at the University. They included Otto Struve in astronomy and Thorkild Jacobsen in Assyrian and Sumerian studies, who both came in the 1920s as graduate students, received Chicago PhDs, and eventually were invited to join the faculty; and Wilhelm Pauck, who came to study at the Chicago Theological Seminary in 1925 but also ended up with a faculty appointment in the Divinity School.

In a few cases, brilliant young Europeans with European PhDs continued to find places on the Chicago faculty. On the eve of the Depression

88. Lasswell to Merriam, November 5, 1923, *Charles E. Merriam Papers*, Box 34, folder 4.

89. See the “Report on Foreign Student Work at the University of Chicago, Autumn Quarter 1923,” *PP, 1889–1925*, Box 44, folder 6.

William Zachariasen, a young postdoctoral fellow from Norway, joined the Department of Physics. He spent the next forty-four years in a distinguished career at Chicago, including service as chairman of the Department of Physics from 1945 to 1949 and 1956 to 1959 and Dean of the Division of the Physical Sciences from 1959 to 1962. It was telling, however, that the most distinguished senior European scholar to assume a full professorship at the University of Chicago in the 1920s arrived not from Germany but from Great Britain. Sir William Craigie, who was the third editor of the *Oxford English Dictionary* and who abandoned an endowed chair at Oxford in 1925 to work on the *Dictionary of American English* project at Chicago, was rightly seen as a particularly prestigious appointment for Chicago to have engineered.<sup>90</sup> Many younger scholars who had studied in Germany before the war now remembered their personal connections with German academic culture with some ambivalence. Barry Karl has shrewdly observed about Charles Merriam, the brilliant Chicago political scientist who was one of the most influential scholars of American and European politics during the interwar period and who had studied with Otto Gierke and Hugo Preuss in Berlin in 1899–1900, that “[a]fter the war . . . Merriam tended more to deny the relationship than affirm it, though his vacillation on the subject of his German intellectual forebears was characteristic of the problems his generation faced.”<sup>91</sup> Most meaningful scholarly connections between Europe and America that continued in the 1920s at the University

90. John Matthews Manly to Ernest D. Burton, October 31, 1924, *PP*, 1889–1925, Box 58, folder 13. Manly quoted a letter from Professor J. F. Royster of the University of North Carolina who believed that Craigie’s appointment was “the farthest step toward American scholarship [that] has been taken for some time and is good proof of the intention of the University to become the first graduate school of the country.”

91. Barry D. Karl, *Charles E. Merriam and the Study of Politics* (Chicago, 1974), pp. 37–38.

of Chicago came about via the initiatives of individual faculty members. Merriam's nine-volume *Studies in the Making of Citizens*, a series of books dealing with comparative civic training in various European nations and the United States and published by the University of Chicago Press between 1929 and 1931, was informed less by Merriam's appreciation for traditional European political traditions and much more by his belief that after 1918 American political values of educating responsible citizens, and especially the American ideal of participatory democracy, were "a model for the rest of the world."<sup>92</sup> Similarly, the work of Merriam's colleague Quincy Wright on the causes and prevention of war enabled Wright to maintain a large range of professional correspondents and other scholarly contacts in various European states, especially relating to the future of the League of Nations, but within a framework that was defined by Wright's conviction that America's involvement in collective security was in the world's interest, not merely in America's self-interest.<sup>93</sup>

92. *Ibid.*, pp. 169–85, here p. 171. Merriam's own contribution to the series, *The Making of Citizens. A Comparative Study of Methods of Civic Education* (Chicago, 1931), provided the theoretical overview.

93. "There can be no doubt that national sovereignty has overridden itself. The economic and cultural requirements of the world demand that sovereign states be subordinated to a world order as the feudal principalities of four centuries ago were subordinated to the national orders. . . . Those who believe in democracy, in nationality, and in international law cannot hope to turn back to the exaggerated conceptions of national sovereignty. They must confront the imperial design of totalitarianism with a positive program for rehabilitating the standards of individual and national rights, for establishing institutions to secure and develop these standards, and for supporting these institutions by a sustained and general sentiment of world citizenship." Quincy Wright, "International Affairs: International Law and Totalitarian States," *American Political Science Review*, 35 (1941): 743. On Wright, see also Steven J. Bucklin, "The Wilsonian Legacy in Political Science: Denna F. Fleming, Frederick L. Schuman, and Quincy Wright. (PhD dissertation, University of Iowa, 1993), 17–76.

Quincy Wright also became the director of the Norman Wait Harris Memorial Foundation, which was perhaps the most ambitious and systematic program of engaging world affairs developed at the University of Chicago between 1918 and 1941. This foundation owed much to the internationalist perspectives of Albion Small, who like many U.S. academics had been deeply disillusioned by the shrillness of wartime rhetoric—especially that manufactured by jingoist newspaper publishers eager to boost circulation. In the summer of 1922 a local banker and his wife, M. Haydon MacLean and Pearl Harris MacLean, had attended a summer institute on international politics held at Williamstown, Massachusetts, that was sponsored by Bernard Baruch. They found the presentations enlightening and wondered if a similar, but longer term and more permanent, venture could be organized at the University of Chicago in honor of Pearl MacLean's recently deceased father, Norman Wait Harris, who had been a prominent Chicago banker. Albion Small's daughter, Lina, was married to Pearl's brother, Hayden B. Harris, giving Small access to the Harris family councils. In November 1922 Albion Small wrote to Pearl Harris MacLean, Lina's sister-in-law, urging that the Harris children and their spouses consider creating an endowment to encourage the meetings of scholars from different parts of the world to exchange views on key world issues. Small urged:

The war has taught us in a hundred ways how defective are our sources of information, both on home and on foreign affairs. We do not know how to discount the influence of different sorts of interests upon the stuff that is dealt out as information by the newspapers. We shall need more and more, as our international contacts become more intimate, means of informing ourselves as to the precise conditions—as to the real milk in the coconut—

in every country with which we are dealing. This all points to the need of drawing upon expert individuals who will not be under the cover of newspaper anonymity, but who will tell what they know for all it's worth. The income of \$100,000 will, of course, not secure all that kind of information which we shall need, but if the fund were wisely administered, it would be a national formative force of growing power and influence.<sup>94</sup>

Pearl Harris MacLean and her siblings accepted Small's advice, and in early 1923 they initiated what came to be called the Norman Wait Harris Foundation with a gift of \$150,000 to the University. They made their gift believing that the problems besetting a Europe bankrupted by over four years of total war would surely have a continuing impact on the United States and that "[t]he spirit of distrust which pervades the Old World is not without its effects upon our country. How to confront this disintegrating tendency is a problem worthy of the most serious thought."<sup>95</sup> The first series of public lectures funded by the Harris Foundation took place in 1924, one part of which were given by a prominent German international legal scholar, Herbert Kraus, from the University of Königsberg. Kraus's lectures were subsequently published in book form by the University of Chicago Press as *Germany in Transition*. They contain (for the early 1920s) a particularly shrewd analysis of the threat represented by Adolf Hitler, with Kraus suggesting ominously that

94. Small to Pearl Harris MacLean, November 3, 1922, *Norman Wait Harris Foundation Records*, Box 1, folder 1.

95. MacLean to Judson, January 27, 1923, *ibid.* The Harris Foundation staged thirty-two annual institutes involving both public lectures and private roundtable discussions between 1924 and 1956, with the single exception of 1934.

[i]t is no wonder that under such conditions in Germany there is constantly a cry for a leader, which has so far been in vain. Perhaps this is simply because there is at present no leader in Germany, though certainly it is not because the German people as such are unable to accept one. Obedience and discipline in the presence of a strong personality have been most correctly classified as German characteristics. No, a leader has not appeared yet for the reason that this epoch has not produced any man of large enough political caliber to direct the storm.<sup>96</sup>

96. Herbert Kraus, *Germany in Transition* (Chicago, 1924), p. 19.

**EUROPE RETURNS TO CHICAGO:  
THE 1930S AND 1940S**



ithin a decade, Herbert Kraus's fear of a "strong personality" who could "direct the storm" in Germany came to pass.<sup>97</sup> Adolf Hitler's coming to power in Germany in early 1933 inaugurated powerful new international movements that had a deep impact on the University of Chicago. Most faculty looked with abhorrence on the activities of the Nazis, and most probably shared Frank Knight's conviction when he refused to accept the award of an honorary degree from the University of Heidelberg in 1936:

[I]t is with the deepest feelings of regret that I have to decline the proffered dignity. In the present state of political opinion, it simply would not do for an American who cares for any standing as a liberal to accept an honorary degree from a German university.

97. Kraus himself became a victim of the Nazis when he was dismissed in 1937 from the law professorship at the University of Göttingen (where he had moved from Königsberg) for reasons of political unreliability. Kraus was described by one Nazi professor as "a prominent democrat and an advocate of international cooperation," values which disqualified him from serving as a university professor in the Third Reich. Kraus spent the war in forced retirement in Dresden, where he survived the fire bombings of February 1945, and in 1946 he was able to reclaim his professorship at Göttingen. Kraus's most notable claim to fame after 1945 was his service as an associate defense counsel to Hjalmar Schacht at the Nuremberg War Crimes trial of 1946. After heated debates among the trial judges, Schacht was exonerated and set free. On Kraus, see Frank Halfmann, "Eine 'Pflanzstätte bester nationalsozialistischer Rechtsgelehrter': Die juristische Abteilung der Rechts- und Staatswissenschaftlichen Fakultät," in Heinrich Becker, Hans-Joachim Dahms, and Cornelia Wegeler, eds., *Die Universität Göttingen unter dem Nationalsozialismus* (2nd ed., Munich, 1998), pp. 115–17, 129–30.

Such things are not, are not intended to be, and probably could not be, simply a matter between scholars and institutions of learning. If the contrary were the case, I should of course be most pleased to accept a degree from the ancient and great University of Heidelberg. But I could not, under present conditions, give this affront, for it would be such, to the great majority of my fellows engaged in the free and impersonal promotion of truth, in America and elsewhere. As you know, a considerable fraction of these, including many of my personal friends and nearest colleagues, are Jews and I am sure you will recognize that this fact makes a difference, unfortunate as that fact may be.<sup>98</sup>

Ironically, the most significant personal contribution that the University made to resisting Hitler's terrorism was Franklin Roosevelt's appointment in June 1933 of William E. Dodd, a distinguished professor

98. Frank H. Knight to Carl Brinkmann, May 25, 1936, *Frank H. Knight Papers*, Box 58, folder 7. Knight was invited to receive this honor on the occasion of the 550th anniversary of the founding of the University of Heidelberg. For the controversy surrounding this event, see *Heidelberg and the Universities of America* (New York, 1936). In a rather different context, Adolf von Noé sought to defend Hugo Simon, the German consul general in Chicago in 1933, who was summarily fired by the Nazi government for allegedly failing to insist upon the Nazi flag being flown at the Chicago World's Fair in July 1933. Noé wrote to German foreign minister Konstantin von Neurath, urging that Simon be retained because of "his profound humanistic education and rhetorical talents, as well as his extraordinarily attractive personality." Given that Simon had served as Walter Rathenau's personal secretary in the early 1920s and was a confirmed liberal democrat, he was despised by the new regime, and, in fact, Simon had decided not to return to Germany but to accept a temporary offer to teach at Northwestern University in a form of voluntary exile. See Noé to von Neurath, draft, July 10, 1933; and William E. Dodd to Noé, July 24, 1933, *Noé Papers*, Box 4, folder 13.

of American History at Chicago since 1908, to be the U.S. ambassador to Germany. Dodd was a Jeffersonian Democrat and vigilant internationalist who supported Woodrow Wilson's foreign policy ideals. Under the direction of Erich Marcks and Karl Lamprecht, he had spent two years at the University of Leipzig from 1897 to 1899, completing a dissertation on Jefferson's conflict in 1796 with Alexander Hamilton and John Adams. Dodd was the son of poor North Carolina farmers, and his humble social origins shaped his distaste of class and caste privileges of any kind. He disliked privileged aristocratic elites both in Germany and in the United States, and he often compared the Prussian Junkers to the antebellum slaveholding plantation owners. Yet Dodd's democratic values served him less well as the leading U.S. diplomatic representative in Nazi Germany than either Roosevelt or he could have imagined. Dodd's work in Berlin was only modestly successful, in part because of his personal inflexibility, his unpopularity with his own staff who found him too "professorial" and ascetic, and his public and private disdain for Hitler and the Nazis (he ostentatiously refused to attend the Nazi Party's annual Nuremberg rallies). Dodd became a persona non grata not only with the German government but also with the many conservatives in the State Department and Congress, who found his incessant warnings about Hitler to be both boorish and extremist. Having been recalled earlier than he wished, Dodd left his post in Berlin in late 1937, discouraged and humiliated.<sup>99</sup>

If the decades before 1914 saw a strong movement of American scholars to Germany and the appropriation, albeit selective, of institutional

99. See Fred A. Bailey, *William Edward Dodd: The South's Yeoman Scholar* (Charlottesville, 1997); and Robert Dallek, *Democrat and Diplomat: The Life of William E. Dodd* (New York, 1968).

practices and academic ideals from the great Central European universities, the 1930s and 1940s saw a reverse pattern of internationalism, under which approximately forty-five refugee scholars, the majority of them from Germany and many of them also Jews, gained various kinds of appointments to the faculty of the University of Chicago. Beginning in the early 1930s, a trickle and then a steady flow of exile scholars came to our campus in the wake of Hitler's rise to power in Germany and his subsequent conquest of much of the rest of continental Europe. President Robert M. Hutchins's views of who among the many available refugee scholars should be invited were critical, given that Hutchins controlled the University's purse strings in an increasingly draconian manner. Although he lent his name to fund-raising efforts to support displaced refugee scholars under the aegis of the Emergency Committee in Aid of Foreign Displaced Scholars that was organized in New York City in May 1933, Hutchins's general view, which he (almost) consistently followed, was that only those refugees who were either extremely useful for teaching purposes or extremely distinguished in their scholarly reputations could or should be offered actual faculty appointments at the University of Chicago. Hutchins attitude was, thus, wholly unsentimental and manifested no public sense that the University owed Central European refugees any unilateral accommodations because of its previous debts to German academic learning. When Hutchins wrote to a wealthy lawyer in Chicago in 1933 that "we should bring at least four distinguished German scholars to the University of Chicago for no less than three years," the most important word here was "distinguished."<sup>100</sup>

100. Laura Fermi, *Illustrious Immigrants. The Intellectual Migration from Europe, 1930-41* (2nd ed., Chicago, 1971), p. 72.

The refugees came from many different pathways. At the beginning of the Nazi persecutions in May 1933 a prominent chemist at the University of Chicago, Hermann Schlesinger, wrote to Hutchins, alerting him that a number of distinguished German scientists was now available and urging that the University help in any way possible.<sup>101</sup> But Schlesinger was also wise enough to argue that the University should only take scholars “whose coming would not impair the opportunities of our present staff” and that they should be treated in the same way as current faculty in terms of research support “for the future reputation of the University.” In the early 1930s, with the scope of the disaster not yet apparent, Hutchins seemed interested in pursuing several of these possibilities, and the number three man on Schlesinger’s list, James Franck of the University of Göttingen, was eventually recruited by Chicago in 1938. As the decade wore on and the effects of the Depression worsened, and as the number of needy refugee scholars increased dramatically, Hutchins became more cautious, stressing that only individuals of the highest level of reputation or promise should be considered. Some suggestions for such appointments came from individual faculty, who learned of refugees via contacts at other universities or by the refugees themselves contacting them. Other ideas came from the Emergency Committee or other charitable organizations. Still others came via interventions from members of the Board of Trustees or other local civic leaders. Much later in his life Hutchins would recall that the University had no central policy on refugees, other than worrying about their rising expectations once they arrived on campus,

101. Hermann I. Schlesinger to Hutchins, May 3, 1933, *Office of the President. Hutchins Administration, Records*, Box 316, folder 5. Hereafter cited as *Hutchins Administration*.

but otherwise reacted on an ad hoc basis.<sup>102</sup> In some cases possible appointments fell apart even with Hutchins's support, as happened in the case of Jacques Maritain, whom Hutchins wanted on the faculty but whom the Department of Philosophy refused to recommend.<sup>103</sup>

The ways in which these scholars made contact, and the ways in which the University responded, were idiosyncratic and reflected the highly diversified and decentralized structure of the University. The case of Friedrich Kessler, a talented German legal scholar, is a good example of a situation in which lobbying by a key Chicago faculty member was critical. Kessler's wife was Jewish, and that fact, together with his profound personal distaste for National Socialism, led him to flee Germany in 1934. A scholar specializing in contracts, credit transactions, and civil procedure, Kessler had done considerable research in U.S. law at the *Institut für ausländisches und internationales Privatrecht* in Berlin between 1927 and 1934 (both his doctoral dissertation from 1927 and his *Habilitation* from 1932 dealt with issues involving American marriage law and American tort law). He came to the United States on a short-term grant from the Rockefeller Foundation and ended up at Yale Law School,

102. See Hutchins to Laura Fermi, August 31, 1964, *Laura Fermi Papers*, Box 2, folder 10.

103. John Nef reported to an impatient Maritain in 1940: "It is entirely due to Hutchins that we have got as far as we have. He asked me when you were still in Chicago last spring about the chances for getting you as a permanent member of the faculty, and it was at that time that he proposed your appointment to the Department of Philosophy, which has the authority to support it. They not only refused that, after considerable delays, but later on after further delays, they refused Hutchins's suggestion that you be made visiting professor for next year." Nef to Maritain, September 5, 1940, *John U. Nef Papers*, Box 29, folder 18.

where he served as a research fellow and lecturer from 1934 to 1938. During this time he befriended Edward Levi, a young scholar from Chicago who spent a year as a Sterling Fellow at Yale after graduating from the University of Chicago Law School in 1935. Levi and Kessler collaborated on a paper on comparative law, and in the context of this project Levi brought Kessler and his work to the attention of Robert Hutchins.<sup>104</sup> When James William Moore suddenly resigned from the Law School faculty in April 1938 to go to Yale, creating a teaching vacancy, Levi recommended his friend Kessler for an untenured associate professorship. Kessler visited Chicago in May 1938, and Bigelow and Hutchins enthusiastically supported his appointment. Kessler was then torn between Chicago and Yale, which had also offered him a junior appointment, and spent several weeks unable to make a decision before opting for Chicago. His wife, Eva, reported her husband's mood in a private letter to Levi:

He feels he would leave half-finished work here (book with U.W.). Hamilton said he wanted badly to work with him. . . . On the other hand: there is Chicago with its attractions and the opportunity to work with you. . . . You see—that is how it looks to Fritz. If you know any advice: *do* give to your poor worried friend. He reads Max Weber's *Religionssoziologie* with great enthusiasm and succeeds in getting his mind away from

104. See Levi to Hutchins, September 19, 1936, *Hutchins Administration*, Box 127, folder 13. Levi observed: "I think that Dr. Kessler is a good man for comparative law work of this type and he ought to be kept in mind." Hutchins responded: "Sometime when you have the time I should like to talk to you about Kessler." September 24, 1936, *ibid.*

the choice he has to make—for half hours. But I really did not exaggerate yesterday saying it goes right through his heart.<sup>105</sup>

Unless the scholar had served on the faculty in temporary or provisional capacity for one or more years, the University was willing to make commitments to permanent tenured appointments in only a few exceptional cases. This frustrated negotiations with charitable relief organizations, which understandably would have preferred that the universities commit themselves beforehand to a permanent position before requesting financial support from the agencies. In some cases, the appointments were distinct failures. Ernst Manheim came in 1937–38 with strong recommendations from senior scholars but, after a year at Chicago, it was clear that he was not of the quality that the Department of Sociology expected, and he moved on to a permanent post at the University of Kansas City.<sup>106</sup> Some of the refugees stayed for a short tenure and then moved on, like Edgar Wind in art history and Gerhard Herzberg in astronomy, having made little long-term impact on their departments. Werner Jaeger, a prominent classicist from the University of Berlin, was recruited in 1936 to succeed to the chair held by Paul Shorey, but by 1939 he was on his way to Harvard. Robert Hutchins was unsettled by this loss, but given that Jaeger's scholarly approach "was understood but was not part of the mainstream of American classical

105. Eva Kessler to Edward H. Levi, June 14, 1938, *Law School Records, Addenda 95–84*, Box 5, folder "Procedure Personnel."

106. Robert Redfield to Sydnor H. Walker, June 27, 1938, *Hutchins Administration*, Box 316, folder 1. For Manheim's side of the story, see Elisabeth Welzig, *Die Bewältigung der Mitte. Ernst Manheim: Soziologe und Anthropologe* (Vienna, 1997), pp. 124–32.

scholarship or American culture,” perhaps the loss was in perspective not that great.<sup>107</sup>

Some of the European scholars were younger men who first gained national and international fame at Chicago, while others were already senior scholars with distinguished reputations in their fields. Each had a complex story to tell, and the range of their emotional adjustments to the new academic culture and new urban civilization was inevitably complex. Many of the most distinguished refugees came only after they had experienced a prior, often frustrating, “trial” period at a smaller or less prestigious institution: Hans Morgenthau at the University of Kansas City, Hans Rothfels at Brown University, and Leo Strauss at the New School in New York. For each of these scholars, Chicago became a new and prestigious home, and they were impressed with the University and its academic resources and scholarly communities. Hans Rothfels, a talented, politically conservative German historian, wrote in relief to his former teacher Friedrich Meinecke that having arrived at Chicago he was impressed by the “scale of the place and high level [of scholarship and learning]” which had on Rothfels “a stimulating effect after so many years of more or less elementary-level teaching.”<sup>108</sup>

107. See Alessandra Bertini Malgarini, “Werner Jaeger in the United States: One Among Many Others,” in William M. Calder, ed., *Werner Jaeger Reconsidered* (Atlanta, 1992), p. 120. Malgarini further refers to Jaeger’s feelings of “sadness, disappointment, and regret” in his exile in the United States.

108. Rothfels to Meinecke, October 12, 1946, in Gerhard A. Ritter, ed., *Akademischer Lehrer und emigrierte Schüler. Briefe und Aufzeichnungen, 1910–1977* (Munich, 2006), p. 151. For the ambivalent cultural situation in the United States that many of the refugees faced, see Gabriela Ann Eakin-Thimme, “Deutsche Nationalgeschichte und Aufbau Europas. Deutschsprachige jüdische Historiker im amerikanischen Exil,” *Exilforschung*, 19 (2001): 65–79, and *idem*, *Geschichte im Exil. Deutschsprachige Historiker nach 1933* (Munich, 2005).

Perhaps the most notable refugee scholars came in the physical sciences, with Enrico Fermi and James Franck, both winners of the Nobel Prize, being the most obvious. Once at Chicago, Franck devoted considerable efforts to helping colleagues left behind in Germany, telling Otto Struve during the Christmas holidays in 1938, "I used all my spare time writing letters on behalf of the people who are suffering in Germany."<sup>109</sup> But Chicago also hired Paul A. Weiss in zoology, Marcel Schein in physics, Konrad Bloch in biochemistry, and Antoni Zygmund in mathematics, all of whom had distinguished careers with many significant scholarly contributions.<sup>110</sup> The history of the Oriental Institute was dramatically shaped by a generation of brilliant European scholars who transformed it between 1930 and 1960 into the distinguished research organization that we know today. Henri Frankfort, Thorkild Jacobsen, Arno Poebel, Erich F. Schmidt, and Arnold Walther, who came before 1933, were not refugees; but the additional presence of Gustave von Grunebaum, Ignace J. Gelb, A. Leo Oppenheim, and Hans Gueterbock further confirmed the Oriental Institute's stunning international reputation.<sup>111</sup> Still other foreign scholars made a strong impact in various fields of the humanities, including Rudolf Carnap in philosophy, Arnold

109. Franck to Struve, December 21, 1938, *James Franck Papers*, Box 9, folder 3.

110. Paul Weiss soon encountered Harold Swift's patronage, with Swift inviting Weiss to visit his vacation home at Lakeside, Michigan, in 1935 to investigate how Swift could cultivate toads on his farm that might then be used for scientific investigations. See Swift to Filbey, December 23, 1935, *Hutchins Administration*, Box 316, folder 2.

111. One former student recalled his experience upon arriving at the Oriental Institute in 1948: "Arriving at the University of Chicago in the fall of 1948 to engage in graduate studies, I encountered for the first time Oriental studies as an institution. The university at large was radiating a particular excitement generated

Bergsträsser in Germanic languages, Wilhelm Pauck in divinity, and Ulrich Middeldorf, Ludwig Bachhofer, and Otto von Simson in art history. Among the regular academic departments at Chicago, art history was perhaps the most fundamentally transformed by the refugee appointments. But in the immediate postwar period, political science also experienced a major impact via the presence of Hans Morgenthau and Leo Strauss.

Occasionally, a refugee scholar ended up at Chicago via a set of completely idiosyncratic events, which, in retrospect, related as much to intra-faculty political wrangling as to the substantive merits of the case itself. For example, Hans Rothfels was appointed to a tenured professorship in the Department of History during a successful visiting appointment in the Summer Quarter of 1946. Rothfels was a prominent scholar of nineteenth-century German political history who had studied with Friedrich Meinecke at Berlin. Rothfels occupied a full professorship at the University of Königsberg until he was dismissed by the Nazis in 1934 and fled Germany in 1939, gaining a temporary appointment at Brown. The Department of History had originally not intended to appoint a scholar in modern German history, since S. William Halperin

from the confluence of two intellectual traditions, the American and the European, which was represented by the large number of scholars from various European countries, Germany in particular, who had migrated to the United States due to conditions in Europe in the 1930s and during World War II. The European scholars were as fascinated by the American academic system (in which governmental and private funding agencies of all sorts set broad goals and let individual institutions, scholars, and students freely choose the manner of pursuing them) as were the American scholars and students by the presence of renowned foreign scholars whom fate had dropped in their midst and who had brought with them their diverse ways of thinking and teaching.” Muhsin Mahdi, “Orientalism and the Study of Islamic Philosophy,” *Journal of Islamic Studies*, 1 (1990): 81.

was already on its staff, but rather hoped to hire a senior scholar specializing in seventeenth- and eighteenth-century European history. In the years immediately preceding the appointment of Hans Rothfels the Department of History found itself in an ongoing battle with President Robert Hutchins over new appointments. Hutchins had manifested a consistently negative opinion of most of the department's personnel recommendations since the mid-1930s, so much so that the department's chair during the later 1940s, William T. Hutchinson, would later recall his colleagues' "increasing sense of frustration born of the Central Administration's unwillingness to concede that the Department knew either the proper content of its own curriculum or the qualifications of an 'outstanding historian.'"<sup>112</sup>

Seeking to rebuild its depleted ranks, the department nominated a group of highly promising historians in November 1943 (including Franklin L. Baumer, Robert R. Palmer, C. Vann Woodward, Wesley F. Craven, and John C. Miller) hoping that the administration would at least approve offers to two or three, but Robert Hutchins rejected all of them.<sup>113</sup> The department then renominated Wesley F. Craven in January 1946 for a full professorship in American colonial history, but Hutchins turned this recommendation back again as well. In a kind of parallel action directed against Hutchins, the department had already voted in August 1945 not to appoint Ernst Kantorowicz, a German refugee specializing in medieval history who was then at Berkeley and was strongly favored by Dean Richard McKeon of the Division of the Humanities,

112. William T. Hutchinson, "The Department of History in Retrospect," pp. 48–49, April 16, 1956, *William T. Hutchinson Papers*, Box 17, folder 8.

113. Hutchinson to Redfield, November 8, 1943, *Division of the Social Sciences Records*, Box 22.

John U. Nef of the Committee on Social Thought, and Robert Hutchins himself.<sup>114</sup> Defending its professional prerogatives against what the majority of the department felt to be Hutchins's capriciousness and high-handedness, the department even polled seven major medieval scholars in the United States, the majority of whom ranked Kantorowicz as not being at the top of the field, with one referee urging that "[h]e should never lecture to undergraduates. I doubt that he should even lecture at all, if he always performs as he did here."<sup>115</sup> The last straw came in May 1946 when the department's renewed attempt to recruit the brilliant young American historian of the French Revolution, Robert R. Palmer,

114. Private Diary, entries of April 11, 1945, May 16, 1945, May 17, 1945, August 2, 1945, and August 21, 1945, *William T. Hutchinson Papers, Addenda*, Box 4; Louis Gottschalk to William T. Hutchinson, May 14, 1945, *Louis Gottschalk Papers*, Box 2, folder 3. Hutchinson also took the highly unusual step of submitting to Robert Hutchins an extremely detailed eighteen-page review of Kantorowicz's scholarship, together with copies of letters of approval or disapproval from nine local Chicago faculty members on May 25, 1945. See *Division of the Social Sciences Records*, Box 22.

115. *Minutes of the Department of History*, August 2, 1945, and August 21, 1945; and Hutchinson to McKeon, August 21, 1945, *Division of the Social Sciences Records*, Box 22. Louis Gottschalk believed that, based on these surveys, Kantorowicz "ranks somewhere about tenth in his special field. He would probably rank no higher among scholars in the field of history in general." The department chair, William T. Hutchinson, tried to persuade his colleagues to compromise with Hutchins, but they adamantly refused: "I could not persuade my colleagues in this afternoon's faculty meeting to adopt my point of view in regard to [the] Kantorowicz matter. I believe that the stubbornness of a majority of them in not yielding a whit to the desires of the President [is] really working against the best interests of the Dept. And yet I am only too aware that the President's dictatorial methods are irritating and merit resentment on our part. But because of his power under the Statutes he holds all the ace cards." Private Diary, entry of August 2, 1945.

collapsed when Princeton University preempted Chicago by offering Palmer a full professorship.

In the aftermath of this guerrilla war, with departmental faculty members feeling badly over the "vile state of the Department" because of its alleged mistreatment by Hutchins, and with William T. Hutchinson insisting that "the Office of the Central Administration, as usual in recent years, seems to lie awake nights thinking up petty ways to annoy Departments," Hans Rothfels appeared on campus.<sup>116</sup> A man of considerable personal charm and broad erudition, Rothfels gained an advocate in Bessie Louise Pierce, the noted expert on the history of Chicago, who happened to be the informal acting chair of the department for the summer term. Rothfels also met a number of department members at two pleasant social occasions soon after his arrival in Hyde Park, and in late July the department suddenly voted to offer him a full professorship. The chair at the time, William Hutchinson, secured the support of his colleagues, including the grudging support of Louis Gottschalk, who had favored the appointment of a seventeenth- or eighteenth-century specialist instead, to push through Rothfels's appointment.<sup>117</sup> Ironically, on the evening of the same day that the vote was taken, Rothfels gave a paper at the Graduate History Club on the rise of Nazism, which William Hutchinson described as follows: "There was a large crowd.

116. Private Diary, entries of June 5, 1946, and July 17, 1946.

117. "I don't believe Louis Gottschalk is enthusiastic about him although you may recall that he recently said in [a] faculty meeting that he would not oppose the appointment of any qualified scholar in the European field whom the administration would favor. . . . I know that Louis Gottschalk at least faintly hopes that Robert Palmer may not be so firmly fixed in Princeton, despite his recent big advance there, that he might not be persuaded eventually to come here." Hutchinson to Pierce, July 11, 1946, Hans Rothfels File, *Department of History Records*.

Although he is an émigré, or because of it, I thought he ‘leaned over backward’ too much in apologizing for the Germans accepting Nazism. Also, he rambled a lot. Altogether I regret (for I have a very high regard for him) that he did not help himself in the esteem of my colleagues who hadn’t met him before.”<sup>118</sup>

Granted that the department took the vote on Rothfels *before* he gave what amounted to a failed job talk, but why did they do this? Hutchinson suggested that the faculty were impressed with Rothfels’s scholarly publications, but an equally compelling answer may lie in Louis Gottschalk’s somewhat peeved comment to Hutchinson that he was now ready to support anyone whom the central administration would approve. The key behind William Hutchinson’s decision was that this case involved an appointment that Dean Robert Redfield was willing to support and that Redfield could persuade Hutchins to support as well. In fact, Redfield was the actual architect of Hans Rothfels’s coming to Chicago from the very beginning. Redfield first learned about Rothfels from the German philosopher and one-time adviser and executive assistant to Chancellor Theobald von Bethmann-Hollweg during World War I, Kurt Riezler, who was now a member of the faculty of the New School for Social Research. Riezler contacted Redfield in October 1945 with a note that suggested that Rothfels “is a first class man and a sure bet — the best of the younger generation of German historians, both as a scholar and a broadly educated man. He is not at all the narrow type of the so-called national historians of Germany and has real knowledge of the factors and forces operating in the political field around the globe.”<sup>119</sup>

118. Private Diary, entry of July 24, 1946.

119. Riezler to Redfield, October 11, 1945, *Division of the Social Sciences Records*, Box 55.

Redfield was sufficiently intrigued to ask John Nef for an opinion (suggesting to Nef that "Kurt Riezler, whose advice to Mr. Hutchins has often been found helpful and reliable has suggested that Hans Rothfels might be a person who should be appointed here"), and he soon wrote to Rothfels asking for more information about his publishing interests. Redfield then maneuvered to get the Department of History to invite him for a temporary teaching assignment in the following Summer Quarter, using a special endowment fund, the Hamill Fund, to pay for the visit. Up to this point, few members of the department knew anything about Hans Rothfels, and when Redfield asked Louis Gottschalk to read one of Rothfels's essays, he received back a mixed opinion, praising Rothfels's erudition and thoughtfulness but also noting that "a certain German patriotism shows through the effort at detachment." Undeterred, Redfield pushed ahead, and he soon had more ammunition in the person of Edward Meade Earle, a Princeton historian whom Redfield knew from their service together on the board of trustees of the Social Science Foundation in New York City. Meade wrote in late February 1946, suggesting that he had heard via certain "subterranean rumors" that Chicago might be considering Rothfels, and adding his own strong endorsement to that of Kurt Riezler.<sup>120</sup>

Once the Robert R. Palmer initiative had imploded in May 1946, leaving the historians even more discouraged, Redfield had a free avenue on which to push ahead, assuming that Rothfels was able to

120. Earle to Redfield, February 26, 1946, *ibid.* Earle knew Rothfels because of the latter's contribution of a chapter on Clausewitz to the volume on *Makers of Modern Strategy* that Earle edited in 1943.

make a sufficiently positive personal impression when he showed up in late June 1946. When this proved to be the case, Hutchinson called a rump session of the department on July 24, 1946, to vote the recommendation (no minutes were kept of the meeting), and within a week Redfield had secured the central administration's approval of Hutchinson's recommendation. Bessie Louise Pierce, who had a keen sense of intramural University politics, hit the nail on the head when she wrote to fellow historian Walter Johnson: "You may not have heard that Mr. Rothfels has been invited to join the staff as professor of European history. He apparently made a great hit with the Administration and his appointment went through like greased lightning."<sup>121</sup> Given that Robert Redfield was about to retire from the Deanship of the Division of the Social Sciences at the end of August 1946, leaving Hutchinson with no sense of what might lie ahead for the Department of History on the decanal level, he may well have seen Rothfels as an acceptable "bird in the hand" option who would be approved with alacrity by the lame duck Dean.<sup>122</sup> Having presided over the Wesley F. Craven and Ernst Kantorowicz fiascos, the failed cultivation of Robert Palmer, and Hutchins's ongoing hostility to the department, this fact probably explains, more than any other single factor, the alacrity with which William T. Hutchinson

121. Pierce to Johnson, August 14, 1946, *Bessie Louise Pierce Papers*, Box 11, folder 9.

122. Hutchinson described Redfield's departure with the thought that "I've always liked his efficiency and squareness, although he has never been a warm friend of History. I fear to learn who his successor will be." Private Diary, entry of July 18, 1946, *William T. Hutchinson Papers, Addenda*, Box 4.

pushed Hans Rothfels's permanent appointment though his department in late July 1946.<sup>123</sup>

Hans Rothfels taught a number of excellent graduate students at the University of Chicago before he opted to return to Germany for an appointment at the University of Tübingen in 1951. He found the presence of a relatively large German-speaking émigré community congenial, writing to his former mentor Friedrich Meinecke that "the German element is strong and respected at the University."<sup>124</sup> Rothfels's post-1945 scholarship and political values have recently been harshly criticized by younger German historians as having strong ties to a national conservatism typical of the 1920s and early 1930s and as contributing to a failure to acknowledge the centrality of Nazism to German society (which is one way to read the Hutchinson quote cited above). Georg Iggers, who was a graduate student at Chicago in the late 1940s and who took two seminars with Rothfels, notes in his memoirs: "I was surprised how conservative and German nationalist his intellectual outlook was, and could not understand why he left Germany in the first place . . . I still

123. Even having acceded to Rothfels's appointment, most members of the department continued to feel besieged by the central administration. Ralph Tyler, who succeeded Redfield as Dean of the Graduate Division of the Social Sciences, described the Department of History's state in September 1949 with the comment, "History appears to be in a very poor condition. The Department reports a host of problems and difficulties, most of which can be understood in terms of the conflicting views between the Department and the [central] administration concerning the balance of emphasis between instruction and research, the ideal character of instruction, and ideal character of research. These conflicts are keenly felt in the Department, and are interpreted in such a way as to be destructive of morale." "Appraisal Report 1948-49," *Chauncy Harris Papers*, Box 5, folder 4.

124. Rothfels to Meinecke, October 12, 1946.

find it disquieting how he [Rothfels] was welcomed with open arms first in England and then in America.”<sup>125</sup> Another scholar has even suggested that the “a-typical, elite ivory tower in [the University of] Chicago” was a perfect place for Rothfels to encounter American civic democratic practices, since he was protected within the sturdy bastions of an elite university. According to this argument, teaching at Chicago furthered Rothfels’s acceptance of the idea of a democratic civil society, such as did not exist in Germany in the 1920s, but it did so in a sheltered way that also allowed Rothfels to maintain deeply conservative social and national values, such as he seemed to favor after he returned to West Germany in 1951.<sup>126</sup> Some of the criticisms leveled at Rothfels reveal a lack of understanding of how U.S. research universities operated in the 1940s and 1950s, and other scholars have defended Rothfels as being a decent, serious scholar who had no intention of covering up the heinous record of the Nazis.<sup>127</sup> Surely one of the most ironic features of the Riezler-Rothfels connection was Rothfels’s attempt to prevent Kurt Riezler and then his brother Walter Riezler from publishing the secret diaries that the former had kept between 1914 and 1918, which seemed to implicate

125. Wilma and Georg Iggers, *Zwei Seiten der Geschichte. Lebensbericht aus unruhigen Zeiten* (Göttingen, 2002), p. 92.

126. See Peter Th. Walther, “Hans Rothfels im amerikanischen Exil,” in Johannes Hürter and Hans Woller, *Hans Rothfels und die deutsche Zeitgeschichte* (Munich, 2005), p. 96. The standard biography is now Jan Eckel, *Hans Rothfels. Eine intellektuelle Biographie im 20. Jahrhundert* (Göttingen, 2005), esp. pp. 209-69.

127. The debate can be followed in John L. Harvey, “Hans Rothfels: Issues and Paradoxes of an International Debate,” *Sozial. Geschichte. Zeitschrift für historische Analyse des 20. und 21. Jahrhunderts*, 22 (2007): 7-39.

Germany in the outbreak of the war.<sup>128</sup> But, whatever one's views of Rothfels's subsequent scholarship, both sides of the recent debate have drawn attention to the fact that the University of Chicago did have a strong impact on this particular refugee scholar who eventually opted to return to Europe. Yet, ironically Rothfels's original appointment was unplanned for and very much owing both to the Department of History's almost desperate personnel situation after years of demoralizing feuding with the Hutchins administration and to the cunning of a brilliant, but lame duck Dean who knew how to get things done.<sup>129</sup>

128. See Karl Dietrich Erdmann, ed., *Kurt Riezler. Tagebücher, Aufsätze, Dokumente* (Göttingen, 1972), p. 10, note 7; Bernd Söseman, "Die Tagebücher Kurt Riezlers: Untersuchungen zu ihrer Echtheit und Edition," *Historische Zeitschrift*, 236 (1983): 357, note 123; Werner Conze, "Hans Rothfels," *ibid.*, 237 (1983): 342–43; Helmut Walser Smith, "The Vanishing Point of German History. An Essay on Perspective," *History and Memory*, 17 (2005): 277.

129. Technically, Rothfels never officially resigned his Chicago position, since he was given a series of leaves of absence until 1956. Peter Walther has recently suggested that Rothfels's principal reason for returning to Germany was because of his worries about the meager pension to which he would have been entitled if he had stayed at Chicago and retired at the statutory age of sixty-five, thus suggesting that he was little more than an opportunist. Doubtless his pension level was a consideration, but one has to realize that this was a common complaint among many older faculty at Chicago at this time, that Rothfels was hardly singular in worrying about these matters, that it is likely that he discussed his concerns with his fellow senior full professorial colleagues, and that Ralph Tyler, the Dean at the time, explicitly cited the danger of precedent in refusing any special adjustments. Rothfels's personal file reveals a man torn between two worlds, trying to "strike a balance between two very different outlooks," as he put it in a memo to Ralph Tyler in April 1953. He was drawn to Germany for material reasons, but also because as he put it to Tyler in January 1951, "however attractive my position at this University there is a greater need for people of my training and experience in present-day Germany. I am convinced that I can render services over there for which very few historians are qualified. I am inclined to

If Hans Rothfels was an inadvertent appointment initiated by a Divisional Dean, two cases involving refugee German Jewish jurists demonstrated the role that personal relationships and ideological perspectives could also play. The one, Max Rheinstein, was extremely successful and had an enduring impact on the Law School, while the other, involving Hans Kelsen, became caught up in a complicated story of territorialism and ideology. Because Max Rheinstein became one of the most successful cases of a refugee scholar at Chicago, it is worth examining his saga in more detail. A veritable model of adaptation and

think that these considerations are in line with the cultural policy of the University of Chicago. Chancellor Hutchins, some months ago, assured me that this was the case and promised support by the administration. I also feel that in view of the purpose it is more valuable to be a fully integrated member of a German university than a mere guest professor. I am not prepared, however to break off all bridges or to go for good. Nor do I intend to forfeit my U.S. citizenship." Rothfels was unwilling to give up his appointment at Chicago, even to the point of weighing in to Walter Johnson in August 1951 on curricular revisions in the graduate program and inquiring as to whether during his leave of absence in Germany he would qualify for annual salary increments in his base salary. As for the motives that led Rothfels to return to Germany, William Hutchinson recorded a private conversation he had with Ralph Tyler in December 1949: "He [Tyler] asked me whether Rothfels would be happier in Germany or here. I said I believed that he could be happy here but I believed Mrs. R. must [have] regretted leaving Germ. at the end of [their] stay there last summer. He [Tyler] observed that it might be a service to [the] rehabilitation of Germany to let scholars like R. go back. I said that since his reputation was internat[ional], I selfishly would much regret the injury which would be suffered by the Dept. by his leaving." Rothfels himself was assiduous in asking for extensions of his leave of absence, and in an early letter to Walter Johnson remarked: "As to the general situation there are hardly signs of a new radicalism in this part of the country but some restaurative trends which I do not like too much either are undoubtedly in appearance, socially as well as academically. On the other hand, one meets with very fine people with whom it is a pleasure to join efforts." Rothfels to Johnson, August 21, 1951. Hans Rothfels File, *Department of History Records*.

assimilation, Max Rheinstein studied law at the University of Munich and Berlin, specializing in civil law and comparative law.<sup>130</sup> Even before coming to America in 1933 on a temporary research fellowship at Columbia University, he had published a well-received book on the structure of contractual relations in English and American law. Rheinstein thus had some considerable professional knowledge of the U.S. legal system. Rheinstein first emerged as a plausible candidate when Richard R. Powell, a professor at the Columbia University Law School, wrote to Dean Harry A. Bigelow of our Law School in February 1934 describing a bright German refugee scholar who "is probably the most promising man available for comparative law work in the United States. While I should not care to be quoted on this, I think that he would do a substantially better job for us than some of the persons who are now on our staff."<sup>131</sup> In addition, Bigelow received a supporting letter from Karl N. Llewellyn of Columbia insisting that Rheinstein "possesses one of the most acute minds I have run into, an effective teaching personality, a rather remarkable command of English, and a range of interest which is little less than amazing."<sup>132</sup> Bigelow was sold on the case, and arranged Rheinstein's appointment as a visiting assistant professor as of January 1, 1935, partly on the basis of temporary funds provided by the Rockefeller

130. For the larger background of Max Rheinstein's and Friedrich Kessler's appointments, see Kyle Graham, "The Refugee Jurist and American Law Schools, 1933–1941," *The American Journal of Comparative Law*, 50 (2002): 777–818, esp. 795–802.

131. Powell to Bigelow, February 14, 1934, *Law School Records. Addenda 95–84*, Box 5, folder "Max Rheinstein."

132. Llewellyn to Bigelow, April 14, 1934, *Hutchins Administration*, Box 316, folder 4.



*Max Rheinstein*

Foundation (these funds, it should be noted, were an early example of the Rheinsteins' entrepreneurship, in that Rheinsteins himself was involved in negotiating them).<sup>133</sup> Rheinsteins was renewed as an assistant professor until he was promoted to an untenured associate professorship in 1937. Solid funding for Rheinsteins' job was finally secured by the use of a new endowment, the Max Pam Fund, to which the Law School gained access in 1936.<sup>134</sup> Harry Bigelow praised Rheinsteins to Hutchins as someone with a "vigorous but pleasant" personality and "very high" potential as a researcher. Both Harry Bigelow and Wilbur G. Katz (who succeeded Bigelow as Dean of the Law School in 1939) encouraged Rheinsteins' growing intellectual ambitions, and Katz especially appreciated Rheinsteins' good citizenship, calling Rheinsteins in 1941 an "indefatigable worker" and someone who was doing "an excellent volunteer job" in teaching military law, and whose "volume of . . . publications is extraordinary."<sup>135</sup> In the summer of 1938 Rheinsteins was joined by a second German refugee scholar, Friedrich Kessler. Both Kessler and Rheinsteins were ideal candidates for the Law School, since both had prior knowledge of American law. Both proved intellectually flexible and culturally adaptable, and both quickly came to be liked by the senior faculty of the school.

Harry Bigelow quickly realized that in recruiting Rheinsteins he had secured someone who could open up a "field which has never been adequately taken care of in the history of the Law School, namely the field

133. Rheinsteins to Bigelow, June 16, 1934, *Law School Records. Addenda 95-84*, Box 5, folder "Max Rheinsteins."

134. See Woodward to Bigelow, December 13, 1935, *Hutchins Administration*, Box 316, folder 4.

135. Budget Submission, January 28, 1941, *ibid.*, Box 336, folder 4.

of Comparative Law.”<sup>136</sup> Rheinstein quickly developed a very ambitious program to establish comparative law as a primary subject of interest at the Law School. Rheinstein’s passion for comparative law arose from multiple sources. Certainly his own hybridist scholarship and his life story as a wanderer between two continents were part of the motivation, but he also believed that contemporary legal education in the United States was too narrow and unimaginative, and that a more rigorous and general approach would give a young lawyer “a detailed knowledge of the problems of social life which the rules of law are destined to regulate. He must be able to draw upon the stock of experience the world has made in centuries of legal regulation. He must be familiar with the lessons of legal history, as well as with the experiences made in parts of the world other than that in which he happens to live.” Precisely because lawyers exercised so much power in the U.S. political system, they needed a more comprehensive and cosmopolitan training. To achieve this end, Rheinstein proposed that courses be developed that would move beyond teaching future lawyers the law as it prevailed in the United States by incorporating comparative elements of Roman law and continental European law. Rheinstein was convinced that “[c]ourses organized on such lines would give the students both a full knowledge of positive American law and a deeper, critical insight into the tasks and functions of the law.”<sup>137</sup>

Finally, Rheinstein’s conviction about the importance of teaching comparative law *within* the university system reflected his broader beliefs about the international power and attractiveness of great universities.

136. Harry Bigelow, Memorandum on Max Rheinstein, May 6, 1935, *Law School Records, Addenda 95–84*, Box 5, “Max Rheinstein” folder.

137. Max Rheinstein, “The Law School,” undated [most likely 1940 or 1941], *Hutchins Administration*, Box 129, folder 10.

From the very beginning of their existence in the twelfth century, European universities drew students and teachers from all over Europe; and in the modern period, the great European and American research universities of the late nineteenth century became "centers of attraction for the ambitious young people" from Asia and Latin America. Universities for Rheinstein were bearers of the Great Tradition of the higher humanistic learning, a tradition that had an essential "supranational character"; and in the twentieth century, the American universities had begun to assume this role of international flashpoints of creativity. To articulate and sponsor international exchanges and comparative scholarship was for Rheinstein, therefore, an intrinsic part of the fundamental mission of a great university.<sup>138</sup>

Rheinstein had little opportunity for systematic interventions in international and comparative law until after the end of World War II. After his return from military government service in Germany, however, Rheinstein received a small grant (\$10,000 to \$20,000 annually) to establish a Comparative Law Research Center. Rheinstein also encouraged foreign law students from Germany and elsewhere in Europe to spend a postgraduate year at the Law School, many of whom qualified for a master's of comparative law (MCompL).<sup>139</sup> Under this program tal-

138. Rheinstein to Ernst W. Puttkammer, April 6, 1955, *Max Rheinstein Papers*, Box 48, folder 2.

139. The MCompL was similar to the LLM program that had begun at Chicago in the early 1950s, which offered a one-year master's degree in legal studies to students who had graduated from an approved law school. Until 1951 the first degree offered by the Law School was the LLB, with the JD degree reserved as an advanced degree. In that year the faculty voted to make the JD the first degree, based on three years of full-time study. The LLM degree was then created as additional one-year program of advanced legal studies, beyond the now standard JD. See the memo of Max Rheinstein, Bernard Meltzer, and Harry Kalven to the faculty, April 9, 1951. Rheinstein authored this memo. *Ibid.*, folder 4.

ented younger jurists from Germany, Italy, Spain, and other European nations were invited to Chicago for an intensive year of study, primarily of American law and political and legal institutions. Wolfgang von Marshall remembered his yearlong experience at Chicago as one of cultural transformation and intellectual intensity, and the importance of individual responsibility — “reading assignments” may be the greatest American contribution to higher education in the twentieth century.<sup>140</sup> Student autonomy and self-responsibility — always a hallmark of Chicago’s learning systems — were now deployed to students whose prior training had been much more regulated and controlled, and the advantages were obvious to the participants.

Then, with the support of the Ford Foundation, which in January 1956 gave him \$45,000 a year for ten years, Rheinstein was able to launch a major initiative in comparative legal studies. This was the Foreign Law Program, which he developed in 1955 and 1956 for law students who had graduated from a U.S. law school. The Foreign Law Program involved a two-year sequence of training, under which the U.S. students would devote one year at the University of Chicago studying German or French civil law, and then spend a second year in the country whose civil law they studied, undertaking additional practical and academic training. The purpose of the program was to “train graduates of American law schools for effective work in the legal system of a Civil Law country and thus to facilitate the conduct of American legal business abroad and to enrich the student’s understanding of his own system in his work either

140. Wolfgang Freiherr von Marschall, “Max Rheinstein,” in Marcus Lutter, Ernst C. Stiefel, and Michael H. Hoeflich, eds., *Der Einfluss deutscher Emigranten auf die Rechtsentwicklung in den USA und in Deutschland. Vorträge und Referate des Bonner Symposions im September 1991* (Tübingen, 1993), pp. 333–41.

as a practitioner or a teacher.”<sup>141</sup> Although Rheinstein received an attractive offer from the University of Heidelberg in 1955, he confided to Arnold Bergsträsser that he preferred to stay at Chicago because “[e]very year we shall have with us a small number of highly qualified young Americans who will stay at Chicago for one year and then will be sent under our auspices to some foreign country. Upon their return we hope they will be really competent to do comparative law work and to work for the establishment of intellectual contacts between the so-far-isolated world of American law and the civil law countries.”<sup>142</sup> Rheinstein was convinced that “American law teaching and learning have long suffered from provincialism. Our lawyers are hardly aware of the fact that there are legal systems other than ours, and they are frequently unable to read any foreign legal publications, even though they may hold highly suggestive ideas for us.” His plan was, in this sense, a large-scale effort toward trans-cultural and even trans-civilizational understanding, with the ultimate benefit being to “inject into the teaching and learning of American law all those ideas which of necessity will be engendered through their contact with the legal institutions and solutions of other countries, which have problems similar to ours and have developed them in their own ways through traditions of many centuries.”<sup>143</sup>

Rheinstein sustained a wide-ranging program of scholarship in the 1950s and 1960s on divorce law reform and on the development of

141. See Rheinstein to the Members of the Law Faculty, March 1, 1956, *Rheinstein Papers*, Box 49, folder 1.

142. Rheinstein to Arnold Bergsträsser, January 9, 1955, *ibid.*, Box 9, folder 5.

143. Max Rheinstein, “International Legal Studies at the University of Chicago,” pp. 13–14 [1955], *ibid.*, Box 49, folder 1.

family law in America, and these publications had an enduring impact.<sup>144</sup> He also produced an English translation (with Edward Shils) of the sections relating to law from Max Weber's great work *Wirtschaft und Gesellschaft*. But the professional gambit that seems to have been closest to Rheinstein's heart was the creation of new ways to sponsor the comparative study of the law. Rheinstein's Foreign Law Program was the work of a visionary teacher. In fact, Rheinstein was fifty years ahead of his time, and it has only been very recently that legal scholars have come to appreciate the salience and intrinsic scholarly value of the kind of systematic comparative legal studies, grounded in deep knowledge of different world legal systems, that Rheinstein advocated after 1945. In all of his projects and courses, Rheinstein sought to encourage in his students intellectual self-confidence, curiosity, and independence of thought.<sup>145</sup> This came through rather strikingly in a letter that he sent to Peter Siemens, a German student he met in Berlin in 1947. In tones that are reminiscent of the final pages of Max Weber's *Science as a Vocation*, Rheinstein replied:

There is another point which I sense somewhere in your letter and which I should like to warn you about. Perhaps I can best tell you what I mean by indicating an experience which I had with some students in Marburg. In our conversation they repeatedly deplored the lack in present day Germany of any 'exemplary personality'. I asked them what they meant and it

144. Mary Ann Glendon, "The Influence of Max Rheinstein on American Law," in Lutter, et. al, eds., *Der Einfluss deutscher Emigranten*, pp. 171–81.

145. See Gerhard Casper, "Max Rheinstein, 1899–1977," in Edward Shils, ed., *Remembering the University of Chicago* (Chicago, 1992), pp. 430–435.

turned out that they were anxiously searching the horizon for some man who would have impeccable character and such outstanding intellectual qualities that the German youth would really look up to him and could not only find in his idea, but quite particularly in the example set by him, the lacking guidance in their own lives. I have found similar thoughts in a good many places and I now sense them in your letter. I can understand them well. They are thoroughly natural but they are dangerous and utopian. The impeccable personality for which so many young people in Germany are now searching does not exist. There certainly does not live anywhere any human being which would be free of shortcomings of character or mind. Man is neither an angel nor a god nor even a demi-god. . . . They were shocked by my reaction and in some despair asked me whether there was anything left for them to do if there could not be found anybody in whom they could have absolute confidence. It was a great surprise when I told them that the one person in whom everyone should have confidence was everyone for himself and that they should, therefore, do their utmost to develop their own minds both as to ability of reasoning and as to knowledge of the world. The realization that one has to rely upon one's own mind and character and that one, therefore, has to discipline and train it, is in my opinion the only way.<sup>146</sup>

If Rheinsteins example revealed how intrinsic talent and energy, an appealing personality, carefully cultivated networks, and local fit could

146. Rheinsteins to Siemens, July 8, 1947, *Rheinsteins Papers*, Box 42, folder 5.

all merge into one stunningly successful appointment, the story of Hans Kelsen demonstrated the contingent and idiosyncratic features that could easily doom a case. Kelsen was one of the most distinguished Central European jurists and legal philosophers to end up in the wave of Jewish refugees from Hitler's Europe, and he was one of the most important legal minds of the twentieth century. The author of a series of major works, including *Main Problems in State Law Theory*, *The Pure Theory of Law*, and the *General Theory of Law and the State*, Kelsen was perhaps the leading advocate of legal positivism in interwar Europe. Coming to intellectual maturity in late imperial Vienna—the capital of a multi-ethnic imperial state that was plagued by nationalist, religious, and class conflicts but which also enjoyed strong apolitical civil service traditions of supra-national imperial governance—Kelsen devoted his career to a series of brilliant attempts to protect the autonomy of the law from partisan political manipulations or ideological colorations. Kelsen's intellectual roots in the apolitical administrative state of the Habsburg Empire influenced the whole course of his subsequent career. A dedicated liberal in his political temperament, Kelsen insisted upon a strict differentiation between the political “is” and the judicial “ought,” arguing that the positive law was an hierarchically organized system of consequential norms, the ethical value of which could not be inferred from social or economic or ideological factors extrinsic to its logical structures. Opposing any attempts to link the idea of law to metaphysical constructs or natural rights theories, Kelsen was much criticized by natural law theorists who sought to justify reified systems of natural rights, by legal realists who wanted to integrate insights from sociology and economics into the shaping of the law, and by right-wing statisticians like Carl Schmitt who insisted that executive power could be legitimately exercised by praesidential decrees independent of the democratically elected

legislature. Kelsen was also a staunch democrat in the Central European world of the 1920s that was alternatively impatient with and hostile to democracy. Dean Roscoe Pound of the Harvard Law School, who nominated Kelsen for an honorary degree on the occasion of Harvard University's Tercentennial in September 1936, believed that Kelsen was "one of the outstanding figures in the science of law in the world."<sup>147</sup> His work continues to provoke interest from legal philosophers and political theorists in our time as well. Because the files on Kelsen's non-appointment at the University of Chicago survive in considerable detail, it is also possible to reconstruct the paths through which this case traveled, revealing the role that personal ideology, timing, and jurisdictional rivalries often played in the fate of these refugee scholars.

Hans Kelsen's proposed appointment originated in the spring of 1938 when Charles Merriam suggested to Robert Redfield that Kelsen could be attracted to Chicago. Merriam had first met Kelsen in Geneva in August 1934, reporting to colleagues in Chicago that "Kelsen, who drafted the Austrian democratic constitution, later went to Cologne, and still later was ousted as a non-Aryan, regards the American experiment [the New Deal] as the most important in the world, and its successful outcome as the only alternative to catastrophe in the Western world."<sup>148</sup> Charles Merriam greatly admired Kelsen's scholarly work on public law and the state, believing it to be a major contribution to the

147. Pound to Eric C. Bellquist, January 9, 1942, *Roscoe Pound Papers*, Harvard University Law School. I am grateful to my colleague, Dennis J. Hutchinson, for his assistance in helping me gain access to the Kelsen-Pound correspondence at Harvard.

148. "Memo of Fellow Merriam," September 1934, *Merriam Papers*, Box 11, folder 8.

theory of democracy.<sup>149</sup> It is important for the full story that Merriam, who was a premier academic entrepreneur and also had a broad knowledge of German political theory and jurisprudence, seems in fact to have been interested in securing for Kelsen a longer-term appointment, the first step toward which would be a visitorship.<sup>150</sup> Redfield consulted several local colleagues, including the young assistant professor in the Law School, Edward Levi, who was interested in exploring linkages between law and political and social theory.<sup>151</sup> Levi responded: “After a little more consideration I still think that Kelsen would be an admirable choice and I definitely rate him higher than [Gerhart] Husserl.”<sup>152</sup> Based on Levi’s and other positive evaluations, Redfield decided to support the initiative, writing to Hutchins that “[s]o far as I am able to judge from consideration of various views of Professor Kelsen that have been presented to me, his

149. Merriam sent Kelsen a copy of his recently published book on *Political Power* in the autumn of 1934. See Kelsen to Merriam, November 24, 1934, *Merriam Papers*, Box 51, folder 7.

150. See esp. Merriam to James M. Stifler, November 2, 1938, and Stifler to John Whyte, November 15, 1938, *Hutchins Administration*, Box 287, folder 5. For Merriam’s political theory in the 1930s, see his *The New Democracy and the New Despotism* (New York, 1939); *idem*, *Systematic Politics* (Chicago, 1950), as well as *Political Power* (New York, 1934).

151. Levi was involved in 1938 with several other colleagues in proposing a new entity within the Law School to be called the “Department of Law and Politics.” The purpose of the new unit would be to explicate the “underlying assumptions made in those branches of knowledge which deal with man and his place in the social order.” Levi also reported that he had conferred with Robert Redfield about this project as well. See *Hutchins Administration*, Box 128, folder 1; *ibid.*, Box 335, folder 8.

152. Levi to Redfield, May 23, 1938, *ibid.*, Box 335, folder 10.

coming to this University to teach in the Department of Political Science for a year is likely to improve the scholarly character of the work of that department. His presence here should also be a favorable circumstance in developing a connection with the more theoretical interests of members of the Law School." Hutchins approved the recommendation, authorizing Merriam to offer Kelsen \$7,000 to come to Chicago for the 1938–39 academic year.<sup>153</sup> Kelsen responded in July 1938 to Merriam that he was grateful for the "great distinction" of an appointment at Chicago and that in Chicago "I could find no other place in the United States better suited for my work of an ideologically-critical analysis of the idea of justice on which I have been working since many years," but that he was not in a position to abandon so suddenly his existing commitments at the Graduate Institute of International Studies in Geneva and the German University in Prague.<sup>154</sup> Kelsen did indicate, however, that he would be greatly interested in coming to Chicago in the following year, 1939–40. This delay set in motion a series of events that ultimately doomed the possibility of a regular appointment for Hans Kelsen at Chicago.

In the aftermath of the Munich Crisis in October 1938, Kelsen decided that he did want to move to the United States, and he wrote to Merriam asking if an appointment in 1939–40 academic year would be possible. He also wrote to other prominent U.S. contacts asking for assistance, including Felix Frankfurter at Harvard, who sent a copy of Kelsen's letter to Hutchins. Hutchins remained sympathetic, but now sought outside financial backing for the proposal, instructing James Stifler,

153. Redfield to Hutchins, June 27, 1938, Hans Kelsen File, *Division of the Social Sciences Records*; Merriam to Kelsen, June 29, 1938, *Merriam Papers*, Box 51, folder 7.

154. Kelsen to Merriam, July 15, 1938, *ibid.*

the secretary of the University, to approach the Emergency Committee in Aid of Displaced German Scholars to ask for \$2,000 in support of the initiative. Stifler's appeal of November 15, 1938, signaled that "[i]t would be our hope, of course, that the experiment might result in a permanent addition of a great scholar to our faculty, but with regard to that we cannot say more."<sup>155</sup> When pressed by the committee as to whether the University did in fact intend to offer Kelsen a permanent position, Stifler wrote again a month later reporting, "We now believe that Dr. Kelsen's abilities are such that, unless something develops that we cannot now foresee, we shall be able to offer him tenure of an indefinite length."<sup>156</sup>

So far so good, but problems soon ensued. In seeking to revive the proposal, Charles Merriam requested that the Law School endorse the proposal. But when the faculty of the latter met in mid-January of 1939, serious reservations emerged. Harry Bigelow reported to Hutchins that "[n]umerous motions were made and votes taken, the first attempt being to secure a commitment on the part of the faculty to take Professor Kelsen if necessary on a fulltime basis and for a definite part, presumably one-half, of his time. This motion was defeated. Other motions working in the general direction of a diminution of the extent of the commitment were also successfully defeated. The final motion was that Professor Kelsen should 'be offered an appointment to the Law faculty not to exceed one year with no budgetary charge on the Law School budget and with Kelsen not to give more than one-half of his time to the Law School'. This motion was carried by a vote of 6 to 4." Bigelow then reported that Merriam, who was present during these discussions, suggested

155. Stifler to Whyte, November 15, 1938, *Hutchins Administration*, Box 287, folder 5.

156. Stifler to Betty Drury, December 27, 1938, *ibid.*

that the Department of Political Science would be willing to take full financial responsibility for Kelsen's appointment, and this proposal led to the suggestion that "Mr. Kelsen [would] come in that way with the possibility then of making either a year to year or some other arrangement for his cooperation with the Law School, without a definite engagement for any particular length of time or any particular amount of work." Bigelow supported the latter idea, although he had "a little reservation as to whether he is still going up or now leveling off in his achievement. I should be very reluctant to make any permanent commitment on the part of the Law School with respect to his membership in this faculty."<sup>157</sup>

Bigelow's memo did not provide any substantive explanation of the reasons for majority's opposition to Kelsen, but a subsequent memo that Wilbur Katz, who succeeded Bigelow as Dean of the Law School in July 1940, submitted to Leonard White, chairman of the Department of Political Science, provides more concrete information. Katz confessed to White: "I am sure you realize what our problem is. Bluntly put, it is the problem of a third refugee and that of 'another philosopher'. With Adler, Levi, Sharp, Rheinstein, and Kessler all interested in the philosophy of law, many members of the faculty feel that the addition of another legal philosopher does not represent our most pressing need

157. Bigelow to Hutchins. January 24, 1939, *ibid.* Edward Levi prepared summary minutes of this meeting that suggest there was strong disagreement among the faculty over the issue of hiring another legal philosopher. One motion that was offered was that "it was the sense of the faculty that no additional legal philosopher is wanted on the law faculty at this time." This motion was defeated by a 5 to 4 vote. See "Minutes of the Meeting of January 19, 1939," *Law School Records, Addenda 95-84*, Box 7. It is impossible to reconstruct who voted on which side, but it seems likely that Rheinstein and Kessler would have voted against the negative motion relating to legal philosophy, and it seems equally plausible that they would have joined the final majority in favor of a one-year visit by Kelsen.

if any University funds whatever are required.”<sup>158</sup> It was difficult to proceed because of intramural jurisdictional issues over the role of legal theory in the Law School’s curriculum and because of concerns among some faculty members that, with the refugee scholars Max Rheinstein and Friedrich Kessler already having been appointed, the Law School did not need additional refugees.

Charles Merriam then tried to proceed only on the basis of political science, but he now encountered financial hurdles. Specifically, the Emergency Committee felt that the University’s intended salary for Kelsen exceeded what it could reasonably support, and they declined to contribute. Similarly, the Rockefeller Foundation raised questions about whether Kelsen was indeed in urgent need of relocation from the relative security of Switzerland, and it was not immediately supportive either. Under these circumstances, and with no real support from the Law School, Merriam reported to Kelsen that the University could not renew its prior offer for the new academic year.

In the interim, the New School for Social Research offered Kelsen a visiting professorship for 1939–40, but Kelsen again decided to try to remain at Geneva, since he was unable to obtain visas for his children to come to the United States.<sup>159</sup> With the outbreak of the war in September

158. Wilbur Katz to Leonard D. White, July 30, 1940, Hans Kelsen File, *Division of the Social Sciences Records*. Lest this quote suggest parochialism on the part of the faculty it should be mentioned that, by hiring both Rheinstein and Kessler, the Law School at Chicago had already generated an extraordinary record of openness to foreign refugee scholars, much more so than most of its peer law schools. See Graham, “The Refugee Jurist and American Law Schools, 1933–1941,” pp. 801–2.

159. See Kelsen to Merriam, November 21, 1939, *Merriam Papers*, Box 51, folder 7.

1939, Kelsen determined that he had to leave Europe permanently. He might have availed himself of the New School's short-term offer, but Kelsen was clearly interested in a more prestigious position, and upon arriving in New York in June 1940 he again wrote to Charles Merriam and Quincy Wright that he was now in New York City, having decided that conditions even in Geneva had become impossible for him and that "these circumstances urge me to look for a new position in this country."<sup>160</sup> He also reported that he had been in contact with officials at the Rockefeller Foundation who were now willing to provide half of his salary for a transitional three-year period. For the 1940–41 academic year, Kelsen had received and already accepted an invitation from Harvard University to give the Oliver Wendell Holmes Lectures. The question became whether he could accept both a Chicago appointment and the lectureship at Harvard. Kelsen learned by early September from the Rockefeller Foundation that he could not hold both appointments simultaneously, so Wright and White then shifted their efforts to securing another offer for the 1941–42 academic year to teach political theory.<sup>161</sup> In this they found little support from Robert Hutchins and Hutchins's vice-president, Emery Filbey. Although Leonard White sounded out Kelsen as to whether he would accept a visiting appointment at \$7,000 in September 1940, White was forced to reduce the intended offer to \$5,000 by November.

160. Kelsen to Merriam, June 23, 1940, *ibid.*; Kelsen to Wright, July 7, 1940, Hans Kelsen File, *Division of the Social Sciences Records*.

161. White to Redfield, September 4, 1940, Hans Kelsen File, *Division of the Social Sciences Records*; Kelsen to White, September 7, 1940, *Quincy Wright Papers, Addenda I*, Box 16, folder "Hans Kelsen." The lectures were published as *Law and Peace in International Relations: The Oliver Wendell Holmes Lectures 1940–41* (Cambridge, MA, 1942).

In White's final (and official) offer to Kelsen in February 1941, he was able to commit only to \$4,000, and this for only one year. Indeed, White sounded almost somber in reporting, "It is clear that the finances of the University will not be such in the immediate future as to make it possible for us to make an appointment on the regular University budget."<sup>162</sup> The University's offers to Kelsen had thus declined in monetary value from \$7,000 in 1938 to \$4,000 in 1941, with the latter containing no University funds at all (as White took pains to explain to Kelsen). Instead of the three-year offer originally proposed by Dean Robert Redfield, Kelsen was to get only one year with no guarantee of what would happen thereafter.

What had happened? Granted that budgets were tight, the University of Chicago did have the financial resources in 1940 and 1941 to make those faculty appointments that Robert Hutchins felt to be in the interests of the institution (such as an appointment for the French Thomist scholar Jacques Maritain, which Hutchins tried to engineer, without success). Clearly, Leonard White and Charles Merriam had not lost their enthusiasm, for White confided to Redfield's associate dean, John D. Russell, that his and Merriam's real hope continued to be bringing Kelsen for a permanent position.<sup>163</sup> Their positive views were shared by Louis Wirth of the Department of Sociology, who tried to raise money for Kelsen's appointment from the Jewish Welfare Fund. For Wirth, Kelsen's appointment represented a chance for Chicago to recruit a "leading political theorist and jurist in continental Europe" whose

162. White to Kelsen, February 19, 1941, Hans Kelsen File, *Division of the Social Sciences Records*.

163. White to Russell, October 21, 1940, Hans Kelsen File, *Division of the Social Sciences Records*.

appointment would be "a rare opportunity to secure [a] man of such eminence for American academic work and to save a great spirit."<sup>164</sup> Robert Redfield, too, was much taken by Kelsen. In late July 1940, Redfield recommended that the University renew its offer with a three-year appointment at \$7,000, arguing that Kelsen "is one of the very few living eminent men in the fields of general jurisprudence, international law, and political theory" and that "[t]he availability of this distinguished scholar and teacher, an expert in a field where the University has a particular need of an appointment, presents us with a great opportunity."<sup>165</sup>

But as the Department of Political Science scrambled to put together a follow-up offer for the 1941–42 academic year, Robert Hutchins was now less sympathetic to a multi-year offer, and indeed to any offer at all. The Law School's continuing lack of enthusiasm may have played a role, but trouble emerged on another and rather unexpected front as well.<sup>166</sup> As the case percolated in the late summer of 1940, Hutchins must have raised questions about Kelsen, since Nathan Leites, a young instructor in the Department of Political Science, generated a long defense of Kelsen in the face of criticisms offered against Kelsen's work by a minor German legal theorist, Edgar Bodenheimer, in a book that the latter had recently published that (among other topics) strongly

164. Louis Wirth to Samuel Goldsmith, August 8, 1940, *ibid.*

165. Redfield to Filbey, July 24, 1940, *ibid.* Wilbur Katz alludes to a letter that Edward Levi sent to Redfield "had figured in the present negotiations," so it seems plausible that Levi supported the initiative. See Katz to Levi, August 7, 1940, *Law School Records, Addenda 95–84*, Box 8.

166. Wilbur Katz predicted to Edward Levi that "I doubt very much if the University will dig up the half of his salary necessary to match the Rockefeller grant." Katz to Levi, July 27, 1940, *ibid.*

defended natural rights theory.<sup>167</sup> Following this exchange, Robert Redfield then received two rather remarkable memoranda from Robert Hutchins. In the first, Hutchins sent Redfield a long quote about Kelsen taken from an anonymous letter that a “friend of mine has received from a German political scientist.” The author of the letter to Hutchins was Jerome Kerwin, a mid-career member of the department and a scholar with deep Catholic intellectual convictions and social contacts.<sup>168</sup> Kerwin had contacted Waldemar Gurian of the University of Notre Dame in early August for an opinion about Kelsen. Gurian was an émigré Catholic political scientist who had developed close connections to John U. Nef and through Nef to Hutchins.<sup>169</sup> For Gurian, Kelsen was a terrible choice, and he did not mince words:

May I express frankly my opinion? I would not understand if President Hutchins invited Kelsen to lecture on political science.

167. See Leites to Redfield, August 1, 1940, *Hutchins Administration*, Box 287, folder 5.

168. Kerwin was doubtlessly sympathetic to these arguments. He himself gave a number of lectures in the late 1930s and early 1940s denouncing the weakening of natural law in the modern world. During a lecture at the University of Notre Dame in 1938, he explicitly blamed the chaos of the post-1919 world on the fact that Europe “had lost the sense and meaning of natural law and natural right.” Jerome Kerwin, “The Church and the Garrison State,” p. 6, November 5, 1938, *Hutchins Administration*, Box 166, folder 12. In January 1942, he presented another talk in which he explicitly blamed German legal theorists for the destruction of natural law theory and the rise of Hitler. See “Introductory Lecture for Political Science 455,” *ibid.*, folder 13.

169. See John U. Nef Jr., “The Significance of *The Review of Politics*,” *The Review of Politics*, 17 (1955): 28–30.

He has written much; his ideas were widely discussed—but read only the article on Kelsen in the “American Political Science Review,” April 1937. Kelsen is a positivist applying a supposedly Kantian approach to law. On the one side he believes in a kind of abstract formalistic normativism, on the other side in a kind of blind decisionism. As the article in the “American Political Science Review” puts it nicely (p. 226): ‘His theory, as a theory, is indifferent to its possible political consequences’. He has characterized democracy by [the] absence of belief in absolute truth, based on relativism and skepticism. (Cf. his “Vom Wesen und Wert der Demokratie,” Tübingen, J.C. B. Mohr, 1929). He is without doubt a brilliant legal technician, but without any understanding of political realities; though he “understands” everything, he is in his most important works opposed to natural law, metaphysical concepts, etc. I think he represents a mentality which is completely out of date and which is responsible for the threatening breakdown of European civilization by the victory of primitive political religions. These religions rose partially in opposition to the empty logicism and relativism of an attitude *à la* Kelsen.<sup>170</sup>

Gurian’s striking imputation that Kelsen’s “relativism” was part and parcel of the reason why National Socialism succeeded requires some elaboration. Before coming to America, Gurian had worked as a journalist and sometime university lecturer in Germany. Gurian was a student of the German philosopher Max Scheler and, in addition to his journalistic

170. Gurian to Kerwin, August 23, 1940, forwarded to Hutchins with a cover note by Kerwin on August 27, 1940, *Hutchins Administration*, Box 287, folder 5.

work, the author of a book on the social and political ideas manifest within French Catholicism from 1789 to 1914 and of a second study on Bolshevism. Once lodged in the University of Notre Dame in America in 1937, Gurian founded a political journal, *The Review of Politics*, which he used to publish the writings of authors who were sympathetic to his own intellectual dispositions. Gurian was a trenchant and striking writer, known for his fear of what he called “the total state.” As a Catholic convert, and especially as a converted German Catholic, Gurian was fiercely opposed to the modern secular state, and he was extremely hostile to anti-clerical Liberals who sought to deemphasize the Church’s rights in civil society.<sup>171</sup> Given Hans Kelsen’s prominence in Austrian politics of the 1920s as a secular liberal and a member of the Austrian Constitutional Court who defended the right of divorce and remarriage and the hegemony of state over church, and a theorist whose legal theory was noted for its staunch rejection of natural rights theory, it is hardly surprising that Gurian would react by launching a kind of reverse *Kulturkampf* rhetoric against Kelsen. This was in spite of the fact that Kelsen himself believed that, as Brian Tamanaha has recently noted, “democracy is more compatible with moral relativism than with natural

171. Gurian was born into a Jewish family in St. Petersburg, Russia, in 1902. In 1911 his mother migrated to Berlin, where she converted to Roman Catholicism. Gurian followed his mother’s example and converted to Catholicism in 1914. For his political thought, see Heinz Hürten, *Waldemar Gurian. Ein Zeuge der Krise unserer Welt in der ersten Hälfte des 20. Jahrhunderts* (Mainz, 1972), pp. 135–48; Kathleen M. Connelly, “Catholic Witness: The Political Activities of Five European Christian Democratic Scholars While in Exile in the United States, 1938–1945.” (PhD dissertation, Boston College, 1995), 43–47, 59–61, 66. A classic restatement of the critique of Kelsen advocated by Gurian can be found in Leo Strauss, *Natural Rights and History* (Chicago, 1953), pp. 3–4.

law ideas."<sup>172</sup> The ideologies of early twentieth-century Central European liberalism and modern German Catholicism collided in this exchange, having sojourned from Cologne and Vienna to South Bend, Indiana, and Chicago, but no less intense for the duration of the journey.

However, in the face of Kerwin's and Gurian's interventions, Redfield refused to buckle under. He wrote back to Hutchins:

Thank you for the quotation from a letter written by a German political scientist with reference to Kelsen. I understand that the writer intended to express an adverse criticism. Except for his last six lines (which express a very personal judgment) I do not see how what is there said about Kelsen supports an adverse opinion. Perhaps you will some time tell me why it is adverse

172. Brian Z. Tamanaha, *Law as a Means to an End. Threat to the Rule of Law* (Cambridge, 2006), p. 101, as well as Hans Kelsen's classic defense of his position in "Absolutism and Relativism in Philosophy and Politics," *American Political Science Review*, 42 (1948): 906–14. It is important to remember that Kelsen, who was born in 1881, grew up in a world in which the idea that one would see a major Central European state become a totalitarian regime and be responsible for mass murders would have been unimaginable. Kelsen was a liberal from a multi-national, nineteenth-century empire whose most prominent state legal theorists conceived of the imperial state's liberal administrative ethos as rising above the discordance of ethnic or partisan political disputes and whose basic liberal legal values in the face of such partisanship were stunningly resilient. For importance of Kelsen's intellectual context, see Peter C. Caldwell, *Popular Sovereignty and the Crisis of German Constitutional Law. The Theory and Practice of Weimar Constitutionalism* (Durham, 1997), pp. 45–46, and Raphael Gross, *Carl Schmitt and the Jews. The 'Jewish Question,' the Holocaust, and German Legal Theory* (Madison, 2007), p. 171. In this sense, Kelsen's work might have been more appealing to U.S. legal theorists, who would presumably have similar expectations about the resiliency of the (liberal) U.S. political system, but this has never proven to be the case.



*Robert Redfield, October 1948*

to a man to say he is a positivist, or to say that his theory is indifferent to the political consequences. I am directly interested in this myself, because I have been called a positivist, and because I understand such theories as I work with to be indifferent to political or social consequences.<sup>173</sup>

Hutchins then sent Redfield a second comment that Kerwin had received from Gurian, which was again dismissively negative:

Concerning K. I am not astonished that there is a pressure [from the Department of Political Science] for him. But I think that it would be much better to invite a man like George Gurvitch who is one of the most interesting political sociologists and who just lost his chair in Strasbourg. He is, of course, not a Catholic, but I think his views are very interesting.<sup>174</sup>

In both of these exchanges Hutchins did not overtly associate himself with Gurian's negative evaluation, but given his subsequent unwillingness to provide any University funds to support hiring Kelsen and the fact that he discretely sent Redfield's reply to John Nef, asking Nef what he made of Redfield's rejoinder defending Kelsen, it seems likely that a combination of the Law School's resistance and Gurian's accusations had

173. Redfield to Hutchins, September 3, 1940, Hans Kelsen File, *Division of the Social Sciences Records*.

174. Hutchins to Redfield, September 7, 1940, *ibid.* Kerwin clearly supported Gurian, since he insisted: "I have great confidence in Gurian's judgment of European scholars." Kerwin to Hutchins, September 6, 1940, *Hutchins Administration*, Box 287, folder 5.

an impact.<sup>175</sup> In deploying Gurian as a stalking horse against Kelsen, Hutchins revealed the extent to which European — and in this case Austro-German — political controversies, conveyed in person via refugees from across the Atlantic, were still able to influence the framework of ideological discourse in which American academics worked in the 1930s and 1940s.

Further, as the Law School dean at Yale who in the later 1920s had vigorously supported the ideas of legal realism, a powerful movement in twentieth-century American jurisprudence that insisted that modern social and behavioral science had much to contribute to the formulation of legal principles and legal doctrine, Hutchins himself would have been unsympathetic to Kelsen's philosophical perspectives, and on the margin, this too likely contributed to the final negation.<sup>176</sup> Hutchins's later flirtation in the 1930s with neo-Thomism and natural rights, via Mortimer Alder, would have simply compounded his uneasiness with a body of jurisprudence developed without explicit reference to moral sensibilities. When Hutchins argued in *No Friendly Voice* that "law is a body of principles and rules developed in the light of the rational sciences of ethics and politics. The aim of ethics and politics is the good life. The aim of the law is the same," he set himself directly against Kelsen's insistence about the necessary (structural) divorce between ethics

175. See Hutchins to Nef, September 5, 1940, *Nef Papers*, Box 23, folder 4.

176. See John H. Schlegel, *American Legal Realism and Empirical Social Science* (Chapel Hill, 1995), pp. 82–98, 213–214 ("Empirical research began at Yale because Robert Hutchins was there"); and Laura Kalman, *Legal Realism at Yale, 1927–1960* (Chapel Hill, 1986), pp. 107–15. For the situation of the Law School at Chicago in the later 1930s, see Dennis J. Hutchinson, "Elements of Law," *University of Chicago Law Review*, 70 (2003): 141–58. I am grateful to my colleague Dennis Hutchinson for stimulating discussions about the history of American jurisprudence in the interwar period.

and the law.<sup>177</sup> Indeed, one of the few points on which legal realists and neo-Thomists of the later 1930s might agree was that legal positivism was, as Karl Llewellyn once put it, "utterly sterile,"<sup>178</sup> either because of its immorality (pace natural rights) or its seeming ineffectuality and impracticality (pace legal realism). Still, as Louis Wirth, Leonard White, and Robert Redfield all insisted, Hans Kelsen was a figure of extraordinary importance in European jurisprudence in the twentieth century. To have recruited him would have been a major achievement, and quite prestigious, for the University of Chicago.

In any event, Robert Redfield certainly understood the implications of Hutchins's message, and he replied to Hutchins that he would now concentrate on looking for non-University support for Kelsen.<sup>179</sup> This essentially meant that Hutchins refused to support the initiative, to the extent that money was involved. In the end, all that the Department of Political Science was able to cobble together was a one-year offer at \$4,000, \$1,500 of which came from the Jewish Welfare Fund and \$2,500 from the Rockefeller Foundation. This involved no money from the University of Chicago's own budget, which Vice-President Emery

177. Robert M. Hutchins, *No Friendly Voice* (Chicago, 1936), p. 48. Edward Purcell has argued of Hutchins and others like him in the late 1930s that "[t]here was . . . a growing conviction by the late thirties that any legal theory that did not focus on moral foundations and aims of the law was an incomplete theory and, even more, a dangerous theory." See Edward A. Purcell Jr., *The Crisis of Democratic Theory. Scientific Naturalism and the Problem of Value* (Lexington, 1973), p. 172.

178. Karl N. Llewellyn, *Jurisprudence: Realism in Theory and Practice* (Chicago, 1962), p. 356, note 5.

179. Redfield to Hutchins, September 13, 1940, Hans Kelsen File, *Division of the Social Sciences Records*.

Filbey explicitly refused to commit.<sup>180</sup> Kelsen must have sensed the patent lack of enthusiasm, noting to Quincy Wright that he was now being offered “almost half of the sum that was originally intended by Professor White,” and he eventually rejected Chicago’s offer in order to remain for an additional year at Harvard.<sup>181</sup> In the fall of 1942 Kelsen accepted a temporary offer at the University of California–Berkeley that was converted into a full professorship in 1945, and he remained associated with Berkeley until his death in 1973.<sup>182</sup>

Kelsen did have two subsequent satisfactions in relation to the Department of Political Science at Chicago, however. First, Charles Merriam nominated him to receive an honorary degree on the occasion of the University’s fiftieth anniversary celebration in September 1941,

180. John D. Russell wrote to Filbey in January 1941 asking: “Will the President’s Office be willing to underwrite the additional \$1,000.00 that is necessary with the understanding that every effort will be continued to raise this amount from other sources?” Filbey’s answer was no. Russell to Filbey, January 7, 1941, Hans Kelsen File, *Division of the Social Sciences Records*.

181. Kelsen to Wright, March 1, 1941, *Quincy Wright Papers, Addenda I*, Box 16, folder “Hans Kelsen.”

182. See Rudolf A. Métall, *Hans Kelsen. Leben und Werk* (Vienna, 1968), pp. 77–84. For his extraordinary impact at Berkeley, see “In Memoriam. Hans Kelsen (1881–1973),” *California Law Review*, 61 (1973): 957–60. In 1964 the Regents of the University of California named a floor of Stephens Hall at Berkeley as the Hans Kelsen Graduate Social Science Library of the University of California. At the present time this space is now the location of the Library of the Ethnic Studies Department at Berkeley, a wonderfully ironic outcome for the memory of a scholar whose legal theories emerged in the context of an imperial legal system that was (for the most part) dedicated to managing and reconciling ethnic conflict in East Central Europe. I am grateful to my colleague Margaret L. Anderson for information about the current status of the space once occupied by the Kelsen library.

preparing a commendation that cited him as "one of the most brilliant living students of law and philosophy." And, secondly, in 1943 a much younger German refugee, who was recruited to teach international law and politics in the Department of Political Science at the University of Chicago on a temporary basis (as a visiting associate professor), offered Hans Kelsen as one of his references. Kelsen reported that the young scholar had worked assiduously in his seminar at the Graduate Institute of International Studies in Geneva, and that he was "an excellent young man with a special and extraordinary talent in political theory."<sup>183</sup> The young teacher performed quite credibly, and in October 1945 Hans J. Morgenthau's appointment was converted into a tenure-track position. Although his theoretical perspectives differed from Kelsen's views of international law and political sovereignty, Hans Morgenthau owed Hans Kelsen an enormous professional, intellectual, and personal debt in that it was Kelsen's vigorous advocacy of Morgenthau's tenure book on *La Réalité des Normes* that enabled Morgenthau to habilitate against the opposition of other senior faculty at the Graduate Institute of International Studies in Geneva in 1934.<sup>184</sup> In many respects, Hans Morgenthau ended up in the full professorial slot that Merriam and White had originally

183. Hans Kelsen, Reference Letter for Hans Morgenthau, March 15, 1934, *Hutchins Administration*, Box 287, folder 5. A later letter, dated March 28, 1937, is in the *Hans J. Morgenthau Papers*, Box 33, Manuscripts Division, Library of Congress.

184. Christoph Frei, *Hans J. Morgenthau. An Intellectual Biography* (Baton Rouge, 2001), pp. 45–49. For Morgenthau's appointment, see *Hutchins Administration*, Box 311, folder 8. Morgenthau was expected to offer courses in international law and international relations, but also in political theory and in public law, a cluster of responsibilities very similar to those intended for Hans Kelsen several years earlier.

imagined for Hans Kelsen. Had Kelsen been appointed in 1940 or 1941, Morgenthau might not have been appointed two years later, and the subsequent history of political theory and international relations at Chicago would have been strikingly different. Morgenthau, in turn, understood the debt that he owed Kelsen, and it was without exaggeration that he would write to Kelsen near the end of the latter's life and in midst of Morgenthau's dogged and controversial opposition against the war in Vietnam that "[y]our life has meant one thing for me: the consistent fearless pursuit of truth regardless of where it may lead to. Your example has taught me what it means to be a scholar. For that lesson I owe you a debt of gratitude which can only be discharged by following your example."<sup>185</sup>

Some European refugee scholars who appealed for assistance from Chicago had no luck at all. On Christmas Day in 1938 Dr. Hermann Ungar, a Viennese gymnasium professor, wrote to Robert Hutchins appealing for help from the University of Chicago. Ungar was a 43-year-old teacher, with a wife and two children, ages 10 and 6, who lived in a middle-class neighborhood in the Landstrasse district in Vienna. He had studied mathematics, physics, and chemistry at the University of Vienna. Until the arrival of the Nazis in March 1938, he had taught science at a Viennese gymnasium — a position from which as a Jew he had now been dismissed. Ungar was clearly desperate, and in somewhat marginal English he assured Hutchins that he was willing to accept any kind of job, however menial, in exchange for help. Ungar insisted that he could work as a lab assistant or even as a car driver. If those possibilities did not work out, he continued, "I should also willingly take the job of a valet,

185. Morgenthau to Kelsen, October 4, 1971, *Hans J. Morgenthau Papers*, Box 33, Manuscripts Division, Library of Congress.

parlor-man or caretaker or well qualified worker in any technical factory in the line of physics or chemistry, and I should content myself with the lowest salary sufficient to maintain myself and my two children of 8 and 4. For my wife, 31 years old, is a clever baby-nurse, or might get a job as a housemaid or washer-woman or cook, so that she would contribute to the maintenance of the little ones. For the sake of these children I ask you to comply with my request. If they only were grown up, our own persons would not be of importance." Hutchins responded that he had no way of assisting Ungar, because "[t]he number of intellectual Europeans who are seeking employment in the University far exceeds the opportunities that are open to them, especially under present economic conditions." But Ungar would not take no for an answer and wrote again in May 1940, informing Hutchins that he had found someone in the United States to sponsor his visit but asking for help with the cost of transporting him and his family from Vienna. Again, Hutchins responded that the University could not provide such aid, but forwarded the case to the Jewish Welfare Fund and to the Emergency Committee in Aid of Displaced Foreign Scholars, which also proved unable to help. The final place of appeal was the National Refugee Service, whose acting director Augusta Mayerson reported in early November 1940 that her organization had also been approached by Ungar, but that they too had no money with which to provide him.<sup>186</sup> The University's file on this case ends at this point, but the story does not, for in the painstaking reconstruction of Austrian victims of the Holocaust recently assembled by the *Dokumentationsarchiv des Österreichischen Widerstands* in Vienna, Hermann Ungar's name appears as having been deported to the Theresienstadt

186. Ungar to Hutchins, December 25, 1938 and May 8, 1940, *Hutchins Administration*, Box 287, folder 5.

concentration camp on October 10, 1942. The last listing that we have for him is the date of his subsequent deportation to Auschwitz on September 29, 1944, where he, his wife, Ilse, and his son, Robert, were murdered.<sup>187</sup> Of course Hutchins had no way of knowing that this would be the final outcome, and Ungar had tried other U.S. contacts who were also unable or unwilling to offer assistance. But the story of Hermann Ungar stands as a stark reminder of what was at stake behind the European wave of refugees seeking the hospitality and support of American universities like Chicago.

Did the European refugee scholars change American universities in a systematically profound way, similar to the impact of German structural models in the 1880s and 1890s? In individual fields individual scholars could have very considerable scientific impact — witness the later influence of Hans Morgenthau and Leo Strauss in political science or Max Rheinstein in law — but it would be an exaggeration to argue that their collective ethos as a whole was equivalent to the structural modeling effect that had transposed the social imaginary of the nineteenth-century German university onto the imagination of American university leaders before 1914.<sup>188</sup> Too much political, institutional, and economic water had flowed under the bridge of American higher education in the first half of the twentieth century to permit that.

Still, Chicago profited from an infusion of extraordinary talent from scholars who brought new ways of thinking about venerable problems

187. Ungar was deported on September 29, 1944, whereas his wife, Ilse, and his son, Robert, were deported on October 4, 1944. See Mary Steinhauser, ed., *Totenbuch Theresienstadt. Damit Sie Nicht Vergessen Werden* (2nd ed., Vienna, 1987), p. 145. His daughter, Hanna, was deported to the Mauthausen concentration camp and survived the war. She died in Australia in 2005.

188. See Ash, “Bachelor of What, Master of Whom?” p. 253.

and who, in a few cases, even established major schools of thought at Chicago. It cannot be the case that the refugees were necessarily better teachers, for we had too many examples of homegrown success stories. But it could well be the case that the combination of broad erudition, anchored often in classical learning and humanistic sciences, and the personal experience of having crossed powerful and deep and painful boundaries gave these men a sense of fate and of the all-too-fragile fabric of intellectual tolerance and civility that they conveyed to their students in powerful, if often subtle, ways. Like their nineteenth-century predecessors, this generation of Europeans affirmed the ideal of the dignity of the academic calling. Through the distinction and erudition of their teaching and mentorship and through their deep commitment to the values of academic freedom, they had a powerful impact on thousands of young American students. Max Rheinstein once remarked that he had become an academic as a result of "my activities as a research assistant to a great scholar, and I was attracted to remain in academic life because it was congenial to me, and by the high esteem in which members of the academic professions were held in Germany."<sup>189</sup> When Hans Kelsen died, his colleagues at Berkeley wrote "of his unstinting willingness to debate his ideas with students—juniors and seniors as well as advanced graduates" but they also praised the fact that "[a] victim of totalitarianism himself, he showed us a way of retaining this balance, of not abandoning his role as a scholar when others yielded to the temptation to fight evil with ideology disguised as science."<sup>190</sup> It is remarkable how many similar

189. Rheinstein to Lucien Warner, December 12, 1952, *Rheinstein Papers*, Box 51, folder 1.

190. Ernst B. Haas, Eric C. Bellquist, and Stefan A. Riesenfeld, "Hans Kelsen, Political Science: Berkeley." *University of California in Memoriam*, March 1976.

stories are associated with men like Gerhard Meyer, Christian Mackauer, Leo Strauss, Hans Morgenthau, Max Rheinstein, Karl J. Weintraub, and many of the other refugees who came and stayed at the University of Chicago.

What was most intriguing about the impact of this newest stage of the University's experiment with internationalism, moreover, was the relative ease with which the newcomers embedded themselves in our culture. At the beginning of the exodus, there were many fears that the wave of Jewish refugees would spawn professional and personal resentments; and even Julius Stieglitz, a senior chemistry professor at Chicago, who had studied in a German gymnasium in Karlsruhe from 1881 to 1886 and who then spent another four years at Göttingen and Berlin (and who was himself Jewish), feared in 1936 that the arrival of German-Jewish chemists would provoke a backlash of anti-Semitism.<sup>191</sup> Beyond lurking anti-Semitism, there was also the issue that the refugees were displacing promising American scholars, and as the decade wore on, many university officials felt subtle or not so subtle pressures to support the careers of the Americans first. Professor John A. Fairlie of the University of Illinois at Urbana reported to Roscoe Pound in early 1939 that "[t]here is a strong and growing opposition in this part of the country to the appointment of anyone who is not already an American citizen."<sup>192</sup> Happily, it was the sense of contemporary foundation and refugee aid officials and the general assessment of subsequent historians that, if the refugee scholars did make it through the eye of the appointment needle,

191. See Marjorie Lamberti, "The Reception of Refugee Scholars from Nazi Germany in America: Philanthropy and Social Change in Higher Education," *Jewish Social Studies*, n.s. 12 (2006): 181.

192. John A. Fairlie to Roscoe Pound, January 30, 1939, *Roscoe Pound Papers*.

most encountered respect and fair treatment, eventually gaining sympathy and support. Marjorie Lamberti is correct in arguing recently that "[d]espite the fears and gloomy forecasts, displaced German and Austrian scholars peacefully penetrated the discriminatory barriers and joined the faculties of American colleges and universities."<sup>193</sup>

A university like Chicago, whose faculty culture once looked to Germany for the ideals of scientific learning and scholarly prestige, was now sufficiently mature to be able to incorporate leading German refugees into its ongoing programs of study, as well as to profit from the intellectual capital and cultural values that these scholars brought with them to the New World. Shaped by a remarkable confluence of Midwestern American and European values, Chicago proved to be much more cosmopolitan than the German and Austrian universities from which these scholars were forced to flee. The skills and creativity that the refugee scholars brought with them were acknowledged not only by obvious honors of the academy but by the loyalty and affection of generations of students.<sup>194</sup> We might see these decades as the chance of the heirs of the first faculty to reaffirm the early internationalism so manifest in the first decades of the University, but on terms of benefactor and patron, and not simply as advocate and consumer.

This second stage of internationalism, which was driven by singular incidents and palpable accidents and often was inadvertent and reactive,

193. Lamberti, "The Reception of Refugee Scholars from Nazi Germany in America," p. 176.

194. Part of this reception may also have been related to the more informal social customs of Americans in welcoming strangers who came as refugees, but who were quickly treated (often to the astonishment of the Europeans) as personal friends on a first-name basis. See the charming memoir about her sojourn in Chicago by the wife of Otto von Simson, Louise Alexandra von Simson, *Happy Exile* (Darmstadt, 1981), esp. pp. 133–42.

would now prepare the way for another wave of internationalism after World War II. This third wave of internationalism would again deeply mark the University's self-consciousness of its peculiar greatness as a place not only of ideas and debate but also as a place where such ideas have no relationship to the limitations of passports and national citizenship but instead have a relationship only to the intrinsic creativity and imaginativeness of those who have the courage to advocate new ways of looking at the world.

#### THE WORLD AFTER 1945

**I**n the aftermath of World War II international currents revived, and new forms of education emerged that incorporated the non-European world into the study of culture. The end of World War II also brought crucial efforts on the part of American universities, foundations, and other academic organizations to reengage the world of international learning and student exchanges that had been abandoned during the later 1930s and early 1940s. Robert McCaughey has rightly designated the immediate postwar period as the “take off” of American international studies.<sup>195</sup> The Fulbright Act (1946), National Association of Foreign Study Advisors (1948), Institute for the International Education of Students (IES) (1950), Ford Foundation's International Training and Research Program (1953), and Fulbright-Hays Act (1961) signaled a new appreciation of the values of international education on the part of higher education leaders. Moreover, American scholars now realized

195. Robert A. McCaughey, *International Studies and Academic Enterprise. A Chapter in the Enclosure of American Learning* (New York, 1984), p. 135.

that the world included domains of cultural life beyond the European subcontinent. The 1950s saw faculty researchers at Chicago begin to write world histories (the United Nations Educational, Scientific, and Cultural Organization [UNESCO] world history project led by Louis Gottschalk and William McNeill's *The Rise of the West*); explore non-European cultures via new interdisciplinary programs (e.g., Marshall Hodgson's *The Venture of Islam*; Milton Singer's *Introducing India in Liberal Education*); and, with the massive resources of the Ford Foundation, Robert Redfield and Milton Singer launched a new interdisciplinary program in comparative cultural studies in 1949 to support graduate education and faculty research.<sup>196</sup> The germ of this initiative lay in a paper that Redfield prepared in April 1944, as a part of an evaluation of war-time areas studies training programs. Redfield believed that the area-studies model that emerged during World War II afforded promising intellectual possibilities to integrate the study of the customs, language, institutions, and literature of major civilizational areas under the larger heading of culture, and that

one university or another might well seriously make an effort in that direction with an Institute of Far Eastern Studies, or Russian Studies, or Latin American Studies. Such an enterprise would look to the long future, and would be content to develop a few first-rate scholars dealing with one aspect or another of the region chosen, and talking often with each other about their work. Such an enterprise would combine the study of books and texts with field study of the people living in the area today.

196. For the history of this project, see John W. Boyer, *Three Views of Continuity and Change at the University of Chicago* (Chicago, 1999), pp. 93–118.

The organization would include both representatives of the humanities and social scientists. For the conception which would give unity to the effort would be not so much the spatial fact that China or Russia or Latin America is one part of the earth's surface, as the fact of culture. These students would all be concerned with a traditional way of life that had maintained a distinguishing character over long time, to great consequence for mankind. A literate people expresses its traditional way of life in what is written; and every people expresses it in institutions and customs and everyday behavior. Ultimately the conception of culture as a naturally developed round of life and the conception of culture as enlightenment through mental and moral training, go back to the same reality: a people with a way of life that is or can be a subject of reflective study. The regional program of research may take the form of long study of the great world cultures.<sup>197</sup>

With the support of the Ford Foundation, Redfield and Singer sought to explore ways by which world civilizations might be compared and classified. Their goal was to establish a comparative approach to the study of cultures and civilizations, but their project also supported research ventures in the study of specific historic civilizations. With the additional support of the Carnegie Corporation, the comparative civilizations project resulted in the creation of several of the great world civilizations courses in the College (e.g., courses covering the history of Islamic civilization, the history of East Asian civilization, and the history

197. "Area Programs in Education and Research," April 27, 1944, pp. 3, 8, 14, *Robert Redfield Papers*, Box 60.

of South Asian civilization) that have had a profound impact on the scholarly work and academic studies of several generations of Chicago faculty members and students since the late 1950s.<sup>198</sup> It is striking, moreover, that the Redfield-Singer project in the comparative study of world civilizations gained traction at the University of Chicago at precisely the same time that Max Rheinstein's theoretical initiatives in the comparative study of the law also began to be implemented.<sup>199</sup>

Beyond these new theoretical and pedagogical initiatives in the study of world civilizations after 1945, the University also quite literally returned to Europe by launching an extremely ambitious international program with the University of Frankfurt, a collaboration that ran from 1948 to 1961. Ever the enthusiastic entrepreneur, Max Rheinstein, together with Nathaniel Kleitman of the Department of Physiology, proposed in the summer of 1945 that the University of Chicago should establish a campus in Munich to provide higher education resources to the families of U.S. Army and civilian occupation personnel who would be stationed there, and to the hundreds of thousands of displaced persons who were stranded in Germany in 1945. Kleitman was sure that the U.S. Army would make available a suitable physical plant for the branch campus, thus freeing the University from having to make any serious

198. Robert E. Streeter, "Report of activities carried on by the University of Chicago under grants from the Carnegie Corporation in support of undergraduate courses dealing with non-Western Civilizations," April 25, 1960, *Milton Singer Papers*, Box 40.

199. The Ford Foundation's annual report for 1951 discursively linked the Redfield project with the Chicago-Frankfurt project, citing both under the same heading of advancing "international understanding through the exchange of ideas and the exchange of persons." See *The Ford Foundation. Annual Report for 1951*, p. 13.

investments, and he was equally confident that “[j]ust as it has organized expensive expeditions to dig into the ruins of past empires with a view of advancing our knowledge, it now has the opportunity, without cost to itself, to dig into the present day ruins of the German state and derive from its studies lessons valuable to all, as well as incidentally helping to fulfill an adult need of the Army of Occupation and of the Military Government in Germany.”<sup>200</sup> Rheinstein was also certain that a German branch would be a timely investment, since it would “fill a need which will be felt very seriously within a short time.”<sup>201</sup> Rheinstein tried to lobby Laird Bell, an influential University Trustee who was then serving as a assistant deputy military governor of the U.S. military government based in Frankfurt, but this gambit backfired, for Bell thought the idea was terrible, given the “depressing atmosphere” of defeated Germany.<sup>202</sup> Instead, Bell believed that if the University wanted to become involved in higher education in Germany it should do so in a serious, non-propagandistic way. He argued:

I, do, however think that there is a job to be done, and I'd like to see the University do it, although I don't think it should be a joy ride for professors or students. A lot of bunk is being talked about re-educating Germany. We are spoon feeding the

200. Nathaniel Kleitman, “Memorandum to the Board of Trustees of the University of Chicago Concerning the Creation of a Branch of the University in a German City,” *Laird Bell Papers*, Box 2, folder 2.

201. Rheinstein to Hutchins, September 26, 1945, *Rheinstein Papers*, Box 26, folder 9.

202. See Rheinstein to Bell, August 22, 1945, and September 3, 1945, *Bell Papers*, Box 2, folder 2.

Germans denatured text books and harmless movies (and incidentally treating them to radio crooners as a feature of our Kultur). I don't believe the Germans are going to be re-educated from the outside. They've got to be given a chance to do it themselves. And despite the depressing moral collapse of the German intellectual world I have a notion that there is a kernel of sound stuff in the educational world that can be built on. I believe there are scholars that want once more to be associated with free scholars of other countries. I believe that the German people with their energy and industry will respond to an opportunity for education for their young . . . If they can't have some intellectual opportunities, German youth will have nothing to hope and work for but revenge. The University of Chicago with its tradition of pioneering should undertake to lead them out of the wilderness — both the scholars and the students. More specifically, I'd like to see a branch of the University set up primarily for Germans with courses given by both Americans and Germans, with no propaganda except what will follow from a good example, and aimed at the deficiencies of German education.

Bell was certain that the "[U.S.] Military Government might entertain an application for a serious university project" and added: "I don't think a happy holiday kind of school will be welcome for a long time."<sup>203</sup>

203. Bell to Hutchins, September 10, 1945, *Rheinstein Papers*, Box 26, folder 9. Bell sent a copy of his critique to Edward Y. Hartshorne, who was stationed with the U.S. occupation forces in Marburg. Hartshorne responded that he agreed that the idea of "Munich Midway" was "utterly fantastic," but, he went on to say, "Your proposal for a Chicago supported educational scheme for Germans,

By 1947, Max Rheinstein had come around to Bell's idea. In early April 1947, Rheinstein wrote to Wilbur C. Munnecke that the War Department's plans to sponsor lectures by U.S. professors at various German universities had fallen through and that "an appeal has been sent to educational organizations and institutions to raise the funds for the implementation of this program and quite particularly to send to Germany visiting professors. This appeal seems to me to constitute the entering wedge for our plan of a 'University of Chicago' in Germany."<sup>204</sup> By June 1947, Rheinstein had refined this idea by urging Robert Hutchins to consider a "University of Chicago Faculty in Germany," but one now attached to a local German university.<sup>205</sup> Hutchins decided to support this plan, and in July 1947 the University requested U.S. government approval to enable Chicago to collaborate in the reconstruction of the west German university system by sending a group of faculty to teach at a leading German university. Hutchins believed that "[t]he presence at a German university of such a group of American scholars is regarded as a considerable help in the reconstruction of German higher education, not only through the instructions they will give to the students, but also by the personal contacts they will establish with their

in conjunction with a currently operating German university, can and should be realized. . . . Perhaps we could work out a tentative plan to propose if Hutchins bites." Hartshorne to Bell, October 14, 1945, *Bell Papers*, Box 2, folder 2. On Hartshorne, see James F. Tent, ed., *Academic Proconsul: Harvard Sociologist Edward Y. Hartshorne and the Reopening of German Universities. His Personal Account* (Trier, 1998), esp. p. 133.

204. Rheinstein to Munnecke, April 9, 1947, *Rheinstein Papers*, Box 33, folder 7.

205. Rheinstein to Hutchins, June 9, 1947, *Rheinstein Papers*, Box 26, folder 2. *Bell Papers*, Box 2, folder 1.

German colleagues."<sup>206</sup> After initial misgivings on the part of General Lucius Clay, the U.S. military governor in Germany, who thought that the Germans might resent foreign professors as little more than propaganda agents, the War Department approved the University's request, having received notice from the Office of Military Government in Germany that "[w]e are very anxious to take advantage of this very generous offer of the University of Chicago."<sup>207</sup> The University then applied in late December 1947 to the Rockefeller Foundation for a grant to support the initiative. The final proposal was formulated in early 1948 by a faculty advisory committee consisting of Earl Hamilton, Robert J. Havighurst, Philip M. Hauser, Richard P. McKeon, Wilhelm Pauck, Max Rheinstein, Otto von Simson, and Robert M. Strozier. Although other universities were initially considered as possible partners (e.g., Munich, Göttingen, and Heidelberg), after vigorous debates the faculty committee finally decided in late January 1948 to work with the University of Frankfurt on the grounds that it was centrally located and that, as a newer and smaller university founded in 1919 that had suffered devastating losses

206. Hutchins to Colonel McRay, undated [August 1947], *Division of the Social Sciences Records*, Box 30.

207. Ray J. Laux to Hutchins, August 6, 1947; and Colwell to Havighurst, September 17, 1947, *ibid.* The original proposal seems to have taken the form of yearlong visiting appointments, but the final structure of the Chicago plan, under which Chicago faculty would come for one term only, may have been a concession to Clay's other concern that "he would have to extend similar facilities to every welfare organization which desired to send a staff into Germany and that this Military Government facilities would not permit." For Clay's initial opposition, see the report of Thomas B. Stauffer to the U.S. ambassador, July 16, 1947, *Richard McKeon Papers*, Box 36, folder 8.

during the war, it desperately needed outside assistance.<sup>208</sup> At a general faculty meeting held in February 1948 to drum up support for the program among the faculty, Max Rheinstein (as was recorded in an after-the-fact report) was unusually blunt in setting the practical and ideological parameters of the initiative. Rheinstein

cautioned against using the word ‘re-education’ or ‘denazification’. He declared that the Germans do not want a program of ‘re-education’ and that they will regard the use of the term by Americans as evidence of hypocrisy and condescension. Furthermore, he cautioned applicants [who wished to teach in Frankfurt] not to expect Germans to be confirmed democrats. He declared that most of them had fought and suffered for nationalistic goals and should not be expected to abandon those goals too quickly. Others who had looked to democracy for liberation have subsequently experienced utmost disappointment, he said. The key to the program, he stated, should be the solidarity of scholarship and learning and the reestablishment of professional and human contacts. If the University of Chicago faculty members exercise infinite personal tact and patience,

208. See Robert J. Havighurst to E. C. Colwell, September 28, 1947, *Division of the Social Sciences Records*, Box 30. Havighurst suggested: “The boldest thing and possibly the most rewarding in the long run is to take the University of Frankfurt. The reasons for this are: Frankfurt will probably become the economic and perhaps the political capital of western Germany; Frankfurt is a big city, and offers opportunity for the kind of approach to problems of modern urban civilization which the U. of C. has worked out in the city of Chicago; the University of Frankfurt is structurally more like the U. of C. than is any other German university.”

Mr. Rheinstein declared, they will discover that under 'the rough nationalistic façade' which the majority of Germans have adopted as 'protective coating' they are in reality skeptics who seek faith. He concluded that the task is to break through this skepticism and to give again a sense of scholarly ideals.<sup>209</sup>

Using support from the Rockefeller Foundation and, after 1951, from the Ford Foundation, Chicago agreed to send a delegation of six professors during the spring of the 1948–49 academic year, plus a few graduate students, to teach at Frankfurt, with the expectation that eventually Frankfurt faculty would reciprocate and visit Chicago. In his original proposal to Walter Hallstein, the rector of the University of Frankfurt, Hutchins argued that "the presence at the University of Frankfurt of such a group of American scholars, and the possible future exchange of similar groups of German professors with this University, will help to reestablish the interchange of ideas through reopening channels of communication between German and American universities."<sup>210</sup> Each Chicago faculty member taught a course in his or her area of specialization and was available for seminars and workshops with interested local faculty and students. During the first two years of the program twenty-seven Chicago faculty visited Frankfurt, and their reactions were exceedingly positive. Wilhelm Pauck of the Divinity School reported:

209. Sims Carter, "Cooperative Program with the University of Frankfurt. Memorandum on Meeting of February 12, 1948," *Division of the Social Sciences Records*, Box 30.

210. Hutchins to Hallstein, January 23, 1948, *Hutchins Administration*, Box 90, folder 11.

We resisted the temptation to become propagandists of any sort and conscientiously confined ourselves to perform academic work by teaching in our special fields and by cultivating professional and personal relationships with German professors and students. The Germans soon recognized that we were serious and honest in our intention to bring about a closer academic relationship between our own University and that of Frankfurt, and they heartily received us into their community, treating us as equals in all respects. We were made regular members of the respective faculties, invited to attend faculty meetings and to participate in their deliberations. . . . Being thus accepted as full members of the University of Frankfurt we had the opportunity to interpret American institutions and attitudes in the context of natural academic relationships. Moreover, the Germans came to consider our presence in Frankfurt as a symbol of friendship and understanding inspired by no other purpose than good will.<sup>211</sup>

After 1951 the program became more formally bilateral, concentrating on jointly-agreed-upon themes for interdisciplinary seminars attended by faculty and graduate students. The seminars were held at both universities, with fall and winter being organized by Chicago and spring by Frankfurt. Paul Weiss, another refugee scholar who participated in the exchange, described this revision in structure as a shift from individual lecturers providing “relief and rehabilitation” to a new and more mature “community of interests” generated by scholars on both

211. Pauck to R. W. Harrison, October 21, 1949, *Division of the Social Sciences Records*, Box 30.

sides of the Atlantic.<sup>212</sup> The numbers of faculty participating in the seminars continued to be somewhat lopsided in Chicago's favor, but most of the participating Chicago faculty believed that the University was providing far more than formal learning experiences to the German students. Louis Gottschalk noted in 1950 that "[a]nother by-product of these objectives will be, we trust, a growing respect in Frankfurt in particular and in Germany in general for American scholarship and for American institutions and ideals of higher learning."<sup>213</sup> Bruno Bettelheim observed that the most fascinating part of a seminar he taught on the social psychology of groups in Frankfurt in 1955 was that German students learned a new way of thinking, and that the exchange encouraged habits of intellectual independence and questioning that heretofore had been sorely lacking in German universities:

It is hard for me to say what attracted the students more—what I tried to teach or the way I tried to teach it. It seemed a new experience to the students that the whole course was pitched to what they wanted to learn and were eager to understand, rather than formal lectures on what the professor thought they ought to know and learn. After some initial anxiety and hesitancy, they responded very well to the breakdown of hierarchical walls separating the professor from the students and the students from each other. The spontaneously formed small

212. Paul Weiss, "Memorandum Concerning a Survey of Prerequisites for a Continued Exchange Program between the Universities of Chicago and Frankfurt," 1950, *ibid.*, Box 31.

213. Gottschalk to Exchanges Division, Office of the High Command for Germany, July 1. 1950, *ibid.*

discussion groups stayed long after the lectures to talk over what had gone on. Both the German upbringing and, even more, their experience in the Hitler and post-Hitler period, had tended to isolate individual from individual, particularly in social situations where they were not well known to each other. Teaching about the phenomena of group interaction led them to recognize their social isolation from each other and their need for relating to each other. Probably to me the most gratifying result of my efforts was that on my leaving, the group decided to continue meeting regularly on the days of my classes without me to continue the group discussions.<sup>214</sup>

Professor Willy Hartner, the director of the Institute for the History of the Natural Sciences at Frankfurt, described a similar effect of the informal workshops and seminars run by the Chicago faculty, commenting that they were “an extraordinarily efficient means for propagating the idea of a supranational community and making the younger generation understand that the only way out of the fetters of nationalistic seclusion and self-conceit is to work in common for a common aim.”<sup>215</sup>

In some respects, Bettelheim’s and Hartner’s comments reveal a fascinating coming full circle of the collective institutional experience of the University of Chicago between 1890 and 1960, from a fledging university dependent on nineteenth-century German concepts of academic science and professorial authority to a mature, twentieth-century American institution that had developed powerful democratic teaching methods

214. Bettelheim to Gustave E. Von Grunebaum, July 25, 1955, *ibid.*, Box 30.

215. Hartner to Gustav E. Von Grunebaum, March 22, 1955, *Chauncy Harris Papers*, Box 5, folder 1.

that it was now eager and willing to send back to the German universities. Along with those methods came a willingness to help rebuild the academic credibility of a once-fabled university system that had been alluring to visiting American students before 1914, but that had shamefully collapsed in the Nazi period and its immediate aftermath into academic institutions enduring bombed-out buildings, fiscal penury, and moral despair. Robert Redfield eloquently captured this sensibility during his short visit to the Frankfurt program in May 1949 when he wrote to his wife:

This leads me to remark how in this short time certain of these people have come to make so strong a claim on my sympathies. The best of them have shown themselves so genuinely disposed to welcome me into their confidences, and to admit me as a friend and associate. Really it has been a very warming experience. It is warming because the visitor—I as visitor—feels himself needed. They really do want people with their own humanistic and scientific interests to work with them, they want to show themselves not what the Nazis made all Germany appear to be. In France I greatly enjoyed and admired the French intellectuals I met. But I never felt at all admitted to their lives, nor, of course, did I feel needed. I was just graciously received. In Germany, among these battered and half-ashamed intellectuals, one feels needed.<sup>216</sup>

216. Redfield to Margaret Park Redfield, May 7, 1949, *Robert Redfield Papers*, Box 1, folder 15.

The University of Chicago embraced the study of world civilizations and the comparative study of cultures in the 1950s and 1960s as suitable faculty research domains in the humanities and the social sciences. This initiative in turn led to large numbers of Chicago graduate students undertaking doctoral research projects in non-European and non-American areas of the world. The University also demonstrated its creative flexibility and generosity in sending members of its senior faculty back to Germany to help rebuild a workable, successful system of higher education in Central Europe. But Chicago's operational and locational conception of undergraduate liberal education still remained firmly restricted within the borders of Hyde Park. This was in spite of appeals from faculty members like Otto von Simson, who insisted that what would be most important in the new program with the University of Frankfurt would be more student-to-student collaboration and engagement.<sup>217</sup> This meant that few of our undergraduate students had an opportunity to undertake an international education program abroad, or even to learn a foreign language by living in another society. Before 1990, there were many more foreign students who came to Chicago each year than University students who studied abroad. In 1990, for example, the University welcomed 1,185 foreign students to our Hyde Park campus, but only 41 College students participated in international programs — 11 of them in Paris! A few visionary pioneers did try to create new paradigms — Dean of the College F. Champion Ward sought in vain to create a summer program of foreign study during the Hutchins College era, and it is not surprising that, after leaving Chicago, Ward devoted much of his career to international development and education programs at

217. Simson to Hutchins, August 13, 1949, *Division of the Social Sciences Records*, Box 30.

the Ford Foundation and at UNESCO.<sup>218</sup> But Ward's efforts were still-born, and it would take another forty years before the University was willing to follow up on his bold ideas.

This situation would change dramatically after 1990. Nationally, with the end of the cold war, the number of U.S. students studying abroad escalated dramatically. (Between 1992 and 2002, the number of U.S. college students engaged in international study programs more than doubled, from 71,000 to over 160,000.) In part reacting to these legitimate national trends, but much more from a desire to broaden our curriculum in order to encourage our younger students to study other cultures and to learn other languages in situ, the faculty of University of Chicago moved aggressively in the mid-1990s to organize a range of new international programs. Our new civilization studies programs in Athens, Barcelona, Beijing, Cape Town, Oaxaca, Paris, Rome, Pune, and Vienna are unique in the faculty leadership that they have generated and in the fact that they are fully integrated into the curriculum of our College. Conceptually, they are also deeply indebted to the work of the Western civilization tradition at Chicago, in which German refugees Christian Mackauer and Karl J. Weintraub played leading developmental roles, and to the work of Redfield-Singer project in comparative cultural and civilizational studies from the 1950s. The new University of Chicago Center in Paris is at the core of this larger strategy designed by the faculty

218. See *Minutes of the College Committee on Policy and Personnel*, April 1 and 3, 1952. Ward was a principal contributor to the 1972 UNESCO report *Learning to Be. The World of Education Today and Tomorrow*, which argued, "Students able to travel overseas to become acquainted with other societies remain in the minority, but all students should have the opportunity, through their study programmes, to understand cultures other than their own and so gain some awareness of the unity of mankind, the fundamentally similar conditions and aspirations true of all men" (p. 240).

of Chicago to encourage our students to gain a firsthand cultural and linguistic knowledge of major European and other world civilizations. The various programs and initiatives attached to the new Center in Paris also offer one model of what might be characterized as a “bundled strategy.” Faculty, graduate students, and undergraduate students all participate within one dynamic model. What began as a humble European civilization program in Tours in 1997 has grown in Paris under the leadership of the first three faculty directors (Robert Morrissey, Philippe Desan, and Jan Goldstein). Last year almost two hundred College students participated in a cluster of instructional programs. Yet the Center in Paris has also been designed to support the work of numerous Chicago graduate students and faculty (this year alone, fifteen Chicago graduate students are working at the center). A fortnightly workshop, sponsored by the Council on Advanced Studies in the Humanities and Social Sciences, contributes still more to making the Center in Paris into a small, but dynamic, campus of the University as whole. The new partnership agreement with the University of Paris VII, which occupies a newly constructed campus directly across the Rue Thomas Mann from our center, is providing still more productive linkages. Our College students now have the remarkable opportunity to register at Paris VII as external students, and seven University of Paris undergraduate students are accepted each year as visiting students to our College. The creation of the Center in Paris has already resulted in many other valuable collaborations between individual Chicago faculty members and French and other European colleagues, all of which present to us a new style Chicago-Frankfurt exchange—this time located on the left bank of the Seine River in the heart of Paris.

Because it blends the wonderfully contingent, ever-changing culture of academic collaborations and scholarly research on the part of our faculty

with the sturdy permanency of undergraduate teaching programs, the University of Chicago Center in Paris affords the University an excellent example of a bundled internationalism that is especially appropriate to our time. The next stage of the center must surely involve still more collaborative work with research centers and academic communities in other parts of Europe, and plans are now being developed to use the center as a nexus of collaboration between Chicago faculty and students and scholars and students from other European universities as well.

In encouraging us to find other opportunities to link undergraduate and graduate education and faculty teaching and research, the example of the Center in Paris also points the way for our generation to embrace a new style and substance of internationalism, which is appropriate to a great research university that has now, more than ever before, come to see that our talented undergraduates are an integral part of the intellectual distinctiveness and promise of Chicago.

Why should we conceive of ourselves as an international university? Clearly, our undergraduate and graduate students profit enormously from steady and ongoing interactions with other university students elsewhere in the world. And it is important that we encourage our students to learn other languages and to study, to understand, and to respect the integrity of other cultures. Scientific and humanistic research has become, moreover, irrevocably international. Individual faculty scholars and students in distant parts of the globe can help each other in significant ways, but those exchanges must occur in person and in real time—not just via e-mail, fax machines, and FedEx shipments. We should not seek to become a “borderless university,” but we are on the threshold of a genuinely exciting time in international scientific cooperation and humanistic collaboration. We should aim to do our part to help sustain significant collegial contacts and cooperation, but in an

uncompromisingly rigorous way. If the world grows smaller, or at least more integrated, then it makes sense that the research universities — institutions that have become the classic motors of innovation and creativity in modern postindustrial societies — must lead the way. And, this time around, this process must include undergraduates, as well as graduate students and senior faculty.

Finally, post-cold war America finds itself in a fascinating, but unsteady, economic and political equilibrium with Europe and Asia, with the industrial and postindustrial societies on all three continents facing remarkably similar social and cultural challenges. As the “reservoir of expertise and basic knowledge” (Roger Geiger), the American research universities may be among the most efficacious institutions to defend our basic civic values, while encouraging humanistic creativity and scientific progress on an international scale, and to communicate knowledge across difficult cultural borders.<sup>219</sup>

More than most other American universities, the University of Chicago has profited from the intrinsic internationalism of the higher learning. Engaging the world has been part and parcel of our most basic collective identity over the last century. Our university is more than most others a product of generations of interaction with academic models and ideals drawn beyond American borders. Each generation of faculty has managed to reengage the world on terms somewhat different from its immediate predecessors, yet over time the cumulative effect of these collective encounters has been very powerful in shaping our institutional identity. Equally important, this process was undertaken by the faculty itself and not simply dictated by the central administration. This has led

219. Roger L. Geiger, *Research and Relevant Knowledge. American Research Universities Since World War II* (New York, 1993), p. 336.

to patterns of faculty engagement with international venues and scholarly and pedagogical opportunities that have become over time more complex, more diverse, and more creative. The Frankfurt-Chicago program of the 1950s is not intelligible without acknowledging the powerful impact of the generation of refugee scholars who came in the 1930s and 1940s, several of whom helped to organize and run it. Nor is the successful integration of the refugee generation of the 1930s and 1940s understandable without Chicago's earlier and profound connection to European and especially German models of learning that were operational before 1914. Robert Redfield's international initiatives after 1945 may have reflected not only his own ethnographic research in Mexico in the 1930s on the folk-urban continuum but also his involvement with the many thorny issues relating to the study of world cultures that he faced as Dean of the Division of the Social Sciences in the later 1930s and 1940s.<sup>220</sup>

Moreover, many of the key cultural concepts with which we have endowed our institutional distinctiveness and with which we continue to articulate our pride in Chicago as a special academic community are deeply anchored in the structural interactions and personal interconnections with European scholars and scholarship that occurred between 1890 and 1914 and 1933 and 1950. Yet during the same decades the University also developed remarkably open, nonhierarchical systems of teaching and learning, treating our students as partners rather than subordinates or automatons. This more open and democratic style of

220. "It is my belief that Redfield's interest in a comparative study of civilizations was stimulated and crystallized in the social and institutional context of the Second World War and the immediate postwar period." Milton Singer, "Robert Redfield's Development of a Social Anthropology of Civilizations," in John V. Murra, ed., *American Anthropology. The Early Years. 1974 Proceedings of the American Ethnological Society* (St. Paul, 1976), p. 191.

teaching and learning became and remains a remarkably attractive form of education that should be of continued interest to the world, and that, in a reciprocal sense, will continue to draw credibility and authenticity as it encounters and tests itself in the world. As the refugee scholar Otto von Simson put it in 1949, writing to Robert Hutchins about his teaching experiences in the Frankfurt program and how they meshed with the revolutionary ideas about undergraduate education articulated by Hutchins in Hyde Park, “I have never experienced the possibilities and responsibilities of education, so often outlined by you, as vividly as I have over here [in Frankfurt].”<sup>221</sup> For Simson, in a modest way and in an unlikely environment, the borders separating different styles of education between Europe and America had collapsed, and a kind of transnational citizenship of learning had now assumed a place of honor — but a citizenship in which uniquely American educational ideals and deeply democratic educational practices now gained renewed authenticity and value. Our challenge is to continue to undertake an internationalism appropriate to our time, in the hopes that like Otto von Simson we and our students will experience, vividly and without timidity, the potential for our own intellectual growth that must result from thoughtful encounters with other cultural and educational traditions. This is what Robert Redfield meant when he suggested in 1947 that

221. Simson to Hutchins, August 13, 1949. Simson was appointed an assistant professor of art in the Committee on Social Thought in March 1945. After fleeing Germany he taught at Marymount College in Tarrytown, New York, and at St. Mary’s College in South Bend, Indiana. While still in Germany he had published an essay in the German Catholic periodical *Hochland* on Robert Hutchins’s *The Higher Learning in America* and *No Friendly Voice*. Given the intellectual constraints of the time in Nazi Germany, the essay was remarkably positive about Hutchins’s educational ideals. See Otto von Simson, “Reform-bestrebungen an den amerikanischen Universitäten,” *Hochland*, 35/2 (1938–1939): 468–76.

[t]o describe this process of getting acquainted with people with a culture different from our own is to recognize the experience as liberalizing. We are all limited in our understanding of our own conduct and that of our neighbors because we see everything by the preconceptions offered by our own culture. It is a task of education to provide a viewpoint from which the educated person may free himself from the limitations of these preconceptions. We are all islanders to begin with. An acquaintance with another culture, a real and deep acquaintance, is a release of the mind and the spirit from that isolation. It is to learn a universal language.<sup>222</sup>

Writing to Robert Hutchins at the end of a visit to the University of Chicago in June 1950, the émigré German philosopher Kurt Riezler remarked, "I have enjoyed my visits to Chicago and especially the temper and the spirit of the students. Whatever may be the deficiencies, more is done here than in any other place I know to uphold standards of judgment, taste, and honesty, while triviality and irrelevancy flood the universe of published discourse."<sup>223</sup> The Chicago that Riezler encountered over a half century ago was the product of a remarkable meddling together of various streams of educational ideals and practices, some Midwestern American, others European. Our community of learning, further amplified by an even wider engagement with the worlds beyond Europe and America since 1950, still cherishes and defends those

222. Margaret Park Redfield, ed., *The Social Uses of Social Science: The Papers of Robert Redfield*. Volume 2 (Chicago, 1963), p. 113.

223. Riezler to Hutchins, June 13, 1950, *Robert M. Hutchins Papers, Addenda*, Box 122, folder 14.

values today. William Rainey Harper's vision of 1904 — that universities should constitute a force for democratic enlightenment, articulating knowledge, sponsoring inquiry, and defending truth among the nations and peoples of the world — is no less compelling now than it was a century ago.

As always, I thank you for your strong support of the College and our students, and I wish you a stimulating and successful academic year.

**P H O T O C R E D I T S**

From the Special Collections Research Center at the University of Chicago:

Photo of Albion Small, photographer unknown

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