Foreign policy has always lain very close to the heart of historians’ concerns with the Third Reich. The argument that began at Nuremberg over responsibility for the origins of the Second World War necessitated a consideration of Nazi foreign policy goals. And it was perhaps the peculiarities of the trial’s charge sheet, in particular the charge of a conspiracy to wage aggressive war which dictated that historians would subsequently devote enormous attention to trying to elucidate how far the Reich had been driven by the Führer’s own personal ideological concerns and how far by wider and perhaps more traditional concerns and worldviews. Three conjoined issues were involved: first, how far Hitler set the foreign policy agenda; second, how far geographically this agenda went: Eastern Europe; Europe; the world?; and third, how far back in time it was established: whether purely opportunistically; in the late 1930s; in the early 1920s; or perhaps even, if Fritz Fischer was to be believed, back in the First World War.

The entire debate was really about two things above all: how German Hitler really was in his aspirations; and how far the Third Reich had been playing by, or departing from, the European rules of the game in international affairs. Both were matters of abiding concern to anyone anxious for the stability of post-1945 Western Europe, and West Germany’s place within it. If the entire debate has lost much of its urgency today, it is because we no longer share those anxieties. But we now have other anxieties and other concerns, and these prompt me to revisit the issue of Nazism and its vision of international affairs and to situate it somewhat differently. For we can now see, more clearly I think than was evident during the Cold War, that during the entire debate German foreign policy in the Third Reich era was being judged against an implicit yardstick of how a “normal” major European power could be expected to behave. For A.J.P. Taylor, committed to an avowedly realist model of international relations, that yardstick was a traditionalist diplomatic vision of the pursuit of the national interest in the context of the struggle for mastery in Europe. For his opponents, it involved a more newfangled respect for international
law, for the rights of small nations, and for the balance of power. What both positions shared, in my view, was a fundamental ahistoricism, a reluctance in particular to admit the novelty of the post-1918 European rules of the game, and a fundamental Eurocentrism, an inability to see what was happening in Europe as part of a larger story of competing visions of global governance. Today, as Carl Schmitt put it in 1939, "we have to think planetarily." And we need to think more conceptually about the vocabulary of international affairs that was deployed at the time and that we now have at our analytic disposal.

Since the end of the Cold War, and especially since 2001, historians have returned to the study of international institutions such as the League of Nations and the United Nations. Their work reveals that these bodies were produced by ideas and ideologies and emerged as the products of a long period of Anglo-American world dominance; in both cases, too, the catalyst for their emergence was world war. From this perspective, the period of the Nazi “New Order” in Europe takes on a new relevance, not so much for the light it sheds on German war aims, but for the visions of the management of international affairs it elicited both in Berlin and in Allied capitals.

One way to think about this would be to ask how far Nazis and their opponents participated in a common set of arguments about the threat to world peace and the means to confront them. I shall sketch out some of the areas where we can see this happening. Another approach, a little more familiar perhaps, is to look at Nazism as a critique of liberal internationalism. For although it is always tempting to write off Nazi ideology as the irrational expression of madmen, in fact, in the context of the larger twentieth-century story of international governance, one can find no more sustained critique of the dominant assumptions common to both the League of Nations and the UN. It was not just that National Socialism disagreed with the terms of the 1919 peace settlement. Revisionism is too weak a term for the nature of the Nazis’ objections: they believed that their guiding philosophy represented an entirely different view of the world, one which exposed the League’s internationalism for the sham it really was. Thus after 1933, the regime made a set of challenges unmatched before or since to the principles of nineteenth-century internationalism embodied in the League of Nations. And just as the League formed the foil to the Nazi conception of world order, so in turn the UN emerged out of anguished and intense discussions in Washington, Paris, London, and elsewhere about the meaning of the war and the nature of the Nazi challenge. The rise and fall of a
Nazi-dominated Europe thus forms a kind of alternate universe that cannot be left out of any reckoning with the struggle to establish workable international institutions after 1945.

I.

Let us start with the question of ethnic homogeneity in Europe. The Nazis’ original sin, to state the obvious, was scarcely their nationalism. The League of Nations itself had been premised on the idea, common among Mazzinian radicals back in the 1830s, that the spread of what was known as the nationality principle would actually smooth the internationalist task. In 1919, Europe was to become a continent of nation-states. Woodrow Wilson was determined to promote democratic nations and make them the constitutive elements of the new world organization. Unfortunately, Wilson’s conception of national self-determination was really all about the right of communities to self-government and the iniquities of autocracy; it took no account of ethnic complexity at all. Only very late in the day — too late — did he wake up to the fact that “this principle which was good in itself would lead to the complete independence of various small nationalities now forming part of various empires,” in short, to extreme instability.¹

This, too, was scarcely news. Since the Congress of Vienna there had been plenty of dissenting voices from the prevailing liberal embrace of nationality politics. Lord Acton, the distinguished English Catholic historian, had famously warned in 1861 of the dangers of a tyranny of the majority for an ethnically mixed democracy. John Stuart Mill tried to sidestep this fear by distinguishing between good and bad nationalism, but the distinction sounded like special pleading and, by the end of the century, bad nationalism in the guise of Prussian militarism or Balkan irredentism seemed to be growing faster than good nationalism. Many British liberals saw this as a problem of national character, basically of psychology, that education would eventually remedy. But the real issue was not psychology at all but attitudes towards the value and prestige embodied in the possession of land and the military threat posed by supposed aliens. As Acton understood, what the principle of national self-determination inexorably did was to turn minorities, however defined, into a political problem.

Faced with this unwelcome revelation of the darker side of nationality politics, the League of Nations responded in two ways. One was to involve itself from very early on in the burgeoning refugee problem. Indeed, one might argue that this formed the substantive core of the

League’s earliest activities. The other was to enunciate a doctrine and a policy of minority rights. Both represented facets of the League’s effort to reconcile the stability of Europe with the vision of a continent of nation-states at peace with one another. But by the mid-1930s, if no earlier, it was evident that in both respects the League had failed.

Far from disappearing, over time the interwar refugee problem, already grave by 1919, grew worse. The international slump, gathering pace after 1929, made it harder for refugees to seek work and dried up charitable support. In addition, there was political pressure within the League of Nations to wind down its refugee work, evident especially after the USSR became a member in 1934 and started trying to curb relief to White Russians, several hundred thousand of whom remained in penury more than a decade after they had fled the Bolsheviks. And with the outbreak of the Spanish Civil War in 1936, refugees from the fighting, and from the triumphant Franco regime, constituted the largest single number of refugees in Europe, outnumbering Russians, Armenians, and Jews.

Most significant of all was the emergence of Nazism in Germany. The Third Reich was an extreme example of the refugee-producing nation-state that materialized in Europe after 1918. Even though many countries, from France to Poland, had deliberately forced out thousands of people after the end of the war on the grounds that they were of the wrong ethnicity, none of these were one-party states ruled by groups explicitly committed to the political exclusion of certain racially defined groups. From 1933 onwards, large numbers of political opponents and Jews were either forced out of the Reich or chose to flee whilst they still could. Making matters worse, Germany’s turn right had a demonstration effect, and other eastern European states started to see in the Reich an alternative pole of attraction to Geneva and a model to emulate. The drift to a far more extreme policy towards Jews and other minorities began to be perceptible in Poland, Hungary, and Romania as well.

The German annexation of Austria resulted in an escalation of Nazi expulsion policy as Vienna became a kind of laboratory under Adolf Eichmann for accelerating Jewish emigration. Eichmann’s Office for Jewish Emigration was, in Nazi terms, a success, and in March 1939 the “Vienna model” was transferred to Prague and then to Germany itself: the numbers of refugees from the Reich soared. And far worse was in the offing. There were far more Jews in Poland than in either Germany or former Austria, and the emboldened Polish government now began
talking about planning its own — voluntary — mass emigration of Jews. It held discreet talks with the revisionist Zionists, who saw this as a way to build up the Jewish presence in Palestine, and also with the French and American governments. Since the British refusal to allow unrestricted Jewish immigration to Palestine — policy was tightened up after the 1936 revolt — forced a search for alternative destinations, one option that they canvassed was to settle large numbers of Polish Jews in Madagascar.

The Madagascar option provides one illustration of what I alluded to earlier: the extent to which the Third Reich in its geopolitical imaginary was in fact engaged in a larger global conversation that did not end with the outbreak of war in 1939 but, on the contrary, continued through and beyond it. The German foreign ministry’s brief interest in planning for en masse compulsory Jewish emigration to Madagascar is well known. Holocaust historians such as Christopher Browning and others have illuminated the role of diplomat Franz Rademacher and the Ministry’s experts on Jewish affairs in advancing this idea in the summer of 1940. Rademacher’s memorandum of July 3, 1940, written a week after the Franco-German armistice and in anticipation of a forthcoming peace treaty, bears close reading. It was, of course, radical in its assumption that the European peace would require “all Jews out of Europe.” But it was strikingly traditional in its reference to the need to “determine the position under international law of the new Jewish overseas settlements.” And even more strikingly, I think, it talked about having Madagascar “transferred to Germany as a mandate.” Rademacher seems to have liked this idea primarily because it allowed the Jews to be kept in a state of suspended sovereignty, subject to Germany but not citizens of it. Nevertheless, his use of the term “mandate” as much as his adoption of the scheme itself indicates that in some ways German thinking about international affairs found it harder to break with the presuppositions of the League of Nations era than we might have imagined.²

And, of course, the global conversation about refugees was happening in a broader sense, too. All sides in the war regarded refugees as a source of instability and saw transcontinental demographic engineering, in particular creating new colonies outside Europe for Europe’s troublesome population surplus, as essential to future peace. For President Roosevelt, an even larger global challenge loomed over the contemporary Jewish problem. If, as he and many demographers believed, large flows of unwanted masses were destabilizing Europe

and smoothing the path to war, and if Europe itself was too crowded and unable to find homes for them all, then global peace ultimately required American leadership to lead an internationally coordinated policy of refugee resettlement.

Roosevelt was not deterred by the fact that his own favorite social scientist, geographer Isaiah Bowman, was skeptical about the rest of the world’s capacity to take in large numbers of surplus Europeans. In effect, what Roosevelt imagined was a scientific reenactment of America’s own historical experience: a global civilizing process through planned colonial settlement by Europeans. The outbreak of the European war in the autumn of 1939 seemed to him to demonstrate the urgency of the problem and the validity of his proposed solution, and a special team of social scientists was put together which spent the early years of the war scouring atlases to identify possible sites of colonization. This was Roosevelt’s secret so-called M-Project. Its ultimate goal was an even more ambitious internationalist venture: the pursuit of world peace through demography, specifically via the creation, once Nazism had been defeated, of a global scientifically based resettlement program to be organized under the auspices of a new International Settlement Agency.

The International Settlement Agency never came into existence. But even as the war was under way, policy-makers accepted that more international involvement at the state level would be needed to solve Europe’s refugee question. Private agencies had reached the limits of their ability to act. Wartime estimates of the scale of the human dislocation caused by Nazi policies and the war itself were that there would be at least ten million displaced persons upon liberation. Even if the majority were to be able to return home, that would still leave large numbers to be resettled elsewhere — the head of the United Nations Relief and Rehabilitation Administration estimated at least half a million — to add to the half a million White Russians, Armenians, and Spanish Republicans who remained in temporary shelter decades after they had been uprooted.

Thus in the realm of refugee policy, the League of Nations experience, halting though it was, prompted demands for more organized planning at the international level. Alongside the detailed wartime planning that went on for Europe’s food provision (through the Food and Agriculture Organization) and the financing of housing and reconstruction (through the new International Bank for Reconstruction and Development, later the World Bank), refugees and displaced

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persons were cared for, first, by military agencies, then by the UN Relief and Rehabilitation Administration (UNRRA). But in 1946 there were still millions in need of help around the world, and violence in South Asia, Palestine, and China over the next three years pushed the numbers higher still. The UN created a new International Refugee Organization, hoping that this, too, could be wound up once Europe’s displaced had been cared for. But the largest single postwar group — the Germans expelled from eastern Europe after 1945 — were not under its purview and were left to the occupation authorities in Germany to help. The international community’s reluctance to look refugee issues in the face continued.

II.

Refugees were a sign of national and international failure, a marker of the manifold internecine ethnic and ideological struggles taking place across interwar Europe and of the growing reluctance by others to take in those in need. But there was an internationalist alternative and that was to protect minorities by giving them rights through international law so that they could stay where they were. This approach was still embryonic before 1918, and the League of Nations minorities’ policy represented a quantum leap forward, indeed the most ambitious extension of international law for minorities ever seen:

The Great Powers were well aware that the newly independent states they recognized in Europe in the course of the nineteenth century were often no more ethnically homogeneous than the empires they had succeeded. Belgium, Romania, and Greece all contained substantial minorities. However, such protection as the latter got before 1914 was through constitutional clauses guaranteeing freedom of belief and faith. Rights were still conceived of in individual terms.

The initial assumption among the peacemakers in Paris was that the old safeguards would still suffice. In January 1919, President Wilson had clarified that American policy remained that new states should guarantee “under responsibility to the whole body of nations” equality of treatment and status to all “racial and national authorities within their jurisdictions.” This was to extend the nineteenth-century conception of protecting religious groups to ethnic and national ones but it was certainly not yet a doctrine of national or minority rights.4

However, reports of anti-Jewish violence perpetrated by Polish nationalists in the disputed Tsarist borderlands were reaching the Paris

Peace Conference, and by February 1919 the issue of minority rights had already been raised by British diplomats in connection with the terms on which new states in Eastern Europe would receive international recognition. Foreign Office expert James Headlam-Morley, who was to sit on the so-called New States Committee, read over draft proposals to incorporate western sections of Bohemia into the new Czechoslovak state. He asked what they meant by guaranteeing the “cultural, linguistic and political rights” of minorities: “I assume it implies definite clauses to be entered in the treaties, by which the new states are to be recognized, and that if the substance of these clauses is not observed, there will be a right of appeal to the League of Nations by whom the treaty will be guaranteed. Would it not be a good thing to ask the Legal section to draft clauses so that we might know more precisely to what we are committing ourselves? As I have before pointed out, the whole subject is one which might become extremely dangerous.”

Why dangerous? Because the proposed rights involved the new international organization checking the behavior of sovereign states within what had generally been regarded as their own jurisdiction, and this was bound to be deeply unpopular. It was dangerous in particular to the Great Powers, who might otherwise welcome the idea, if it should be turned back on them. In fact, despite the protests — which only grew with time — that no minority-rights regime was equitable unless it was universal, there was never the slightest chance that the Great Powers would allow themselves to be subjected to such a thing. To British and French delegates it was obvious that the maturity of their political institutions and the wisdom of their governing elites obviated the need for any such measures. Equally obviously, the new states of central and eastern Europe lacked the maturity to bring together their own fractured and divided societies without this kind of external supervision and help. Did the news from Poland not demonstrate this? Hence, the New States Committee was established to deal with the issue separately and to ensure it was hived off from the peace treaty discussions.

As Headlam-Morley suggested, there were at least two aspects to this potentially most explosive of legal innovations. The first was substantive: rights for whom and which ones? Just in the case of Czechoslovakia, he observed, one might distinguish Germans in western Bohemia who had “always” lived there from Czechs who had chosen to move relatively recently to, say, Vienna. “Surely,” he

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observed, “when people of one nationality, for private reasons of this kind, choose to take up their residence in a foreign city, there is no claim of any kind to receive exceptional treatment.” So not all members of an ethnic minority ought to count as equally worthy recipients of rights, especially when the rights in question were not merely the traditional freedom to worship, but cultural and national rights: to use one’s language in public as well as private, perhaps to ensure that it was taught in schools and allowed to be used in the press, and, by extension, to have a range of cultural activities safeguarded.

The second issue was procedural: what status should such rights have, who could grant them and provide the guarantee that they would be respected, without which they would likely be meaningless? What happened at the Paris Peace Conference was that separate treaties were drawn up and eventually signed between the Great Powers and the states of eastern Europe that confirmed international recognition and in return guaranteed their inhabitants not only equality before the law and freedom of worship but the right to use their own language, and to private and public education. The first such treaty, signed with Poland, incorporated a right of appeal to the Council of the League of Nations; and others, signed with another seven states, followed suit. In vain, diplomats from these small nations protested that the guarantees would make internal government harder and create states within states.

The minority-rights regime represented an enormous advance over any previous international effort to tell states what they should do in their internal affairs. The trouble was that it was set up in a way almost guaranteed to alienate all sides. Nations accused of misconduct were aggrieved at being singled out for international attention and resented the humiliation when other states were not arraigned in this way. In fact, Poland, for instance, deliberately tried to force German farmers out through a variety of discriminatory measures, and the plight of other minorities in eastern Europe was little happier. Only the Estonians made a serious effort to incorporate minorities into their national life. At the same time, the League did little for those who complained. It refused to admit individual complainants and scrutinized all accusations so carefully that scarcely any were admitted for consideration by the Council. Frustration therefore built up among representatives of the minorities and their supporters. Germans and Jews mobilized together in a new lobby group, the European Congress of Nationalities, but this did not have much success.
The fundamental problem was that the minorities question had become inextricably linked with the demands of revisionist powers to adjust the borders set down at Versailles. Because the two major revisionist powers—Germany and Hungary—also made support for their co-nationals a key part of their interwar diplomacy, protection of minorities became bound up with a larger set of complaints about the justice of the Versailles settlement. And this in turn made countries like Poland, Romania, and Czechoslovakia dig in their heels. Because the British and the French needed strong supporters in eastern Europe against the twin threats of Germany and Soviet Bolshevism, they were unenthusiastic about making sure that their allies were observing the minorities provisions they had signed up to. Indeed, as time went on and the threat from Germany grew, their pressure on the “New States” evaporated. Even before Hitler took power in 1933, most people in Europe had ceased to place much hope in the League of Nations as a defender of minorities. Afterwards, as power shifted from Geneva to Berlin, a very different approach to minorities emerged and the League system collapsed.

III.

The largest single minority in interwar Europe were ethnic Germans. Stranded by Germany and Austria-Hungary’s defeat on the wrong side of the new borders, millions of them found themselves citizens of Poland, Czechoslovakia, and Yugoslavia. Assimilation was far slower than the diplomats at Paris had envisaged, and many of them faced pressure to leave their homes for a new life in the Weimar Republic, or else to abandon their cultural traditions and the German language. The minorities issue became one of the motors of irredentist nationalism inside Weimar and, for the Nazis and the other parties on the right, one of their main grievances against the League of Nations.

For a time in the mid-1920s, Weimar governments tried to exploit the Geneva minorities system; under Foreign Minister Gustav Stresemann, German diplomats gave support to other ethnic minorities—especially Ukrainian and Jewish groups—and financed the European Congress of Nationalities, a lobby-group for minority rights that held conferences and published denunciations of minority rights abuses. But by 1929, Stresemann himself had become disillusioned with the League’s weak handling of the minority issue and its reluctance to confront the Poles and other governments that continued to pressure their ethnic Germans. The German public was even more dismayed,
and the Nazis’ uncompromising rejection of the League started to win more support.\footnote{Carole Fink, "Defender of Minorities: Germany in the League of Nations, 1926-1933," \textit{Central European History} 5 (1972): 330-357.}

After 1933, with the minorities system close to disintegration, National Socialism began to advance a very different conception of the place of nations and minorities in Europe. Good Wilsonians, the Nazis in their party program of 1920 had started out with a demand for the unification of all Germans in a Greater Germany on the basis of the right of self-determination. But the really critical article was article 4: “Only a member of the race can be a citizen. A member of the race can only be one who is of German blood without consideration of creed. Consequently, no Jew can be a member of the race.” Non-Germans were to live in Germany only as guests, and those who had arrived since 1914 had to leave immediately. And there was another relevant clause: “We demand substitution of a German common law in place of the Roman law serving a materialistic world-order.” All the elements were therefore in place, long before the actual seizure of power, for a sweeping ideological assault on the League of Nations and its approach: no assimilation, racial not universal law, and therefore exclusion and expulsion, not protection.

For National Socialism, there were several things fundamentally wrong with the League of Nations. One was its mystification and idealization of international law, as if international law existed in an abstract realm independent of the power relations it reflected. In reality, what the League had done, some Germans argued, was to freeze a moment in which liberalism, in the shape of Britain, France and the United States, was temporarily dominant, and then rewrite the rules in its image. But behind all the talk of a new organization in which all states were equal, some remained more equal than others. The major powers had permanent seats on the Council, for instance, and they did not have to worry about being bound by things like minority-rights treaties. Real power lay, as Carl Schmitt put it, in the power to set the norms and to decide when they applied and to whom. The League was just another alliance in the scales of power, therefore, and as other states with different philosophies gathered strength, states like Fascist Italy and the Third Reich, the waning of the League’s power would be reflected in the fact that people ceased to take any notice of its rules and to look elsewhere for guidance.

Moreover, this was entirely to be expected since Nazi lawyers insisted that law itself should not be fetishized. Few went so far as to say there was no such thing as international law, and indeed in some areas of
life — notably the treatment of West European prisoners of war once the war broke out — important institutions like the German army found it imperative to continue to observe at least some of Germany’s legal obligations. But international law was to become much less central in the conduct of inter-state relations. The League had led to a “juridification” of international life because it had attempted to craft perennial rules for state behavior and to freeze the territorial status quo established at Versailles. In the Nazis’ organicist vision of world politics as a constant struggle for life this was implausible; instead, any legal order needed to respond to the changing needs of the moment, to be dynamic rather than static. States could not be expected to do what lawyers said — the ideal of the arbitration movement and the new Permanent Court of Justice — especially since there was no “common measure of justice”; rather law should be expected, as in the Third Reich, to flow from the will of the people as expressed in the policies of their rulers. Nor could they be expected to refrain from seizing opportunities to expand through conquest any more than a plant could stop growing. The British might claim that they had done this in 1919 but they had not, as witnessed by their desire to remain outside the legal order of minority rights, and their invocation of legal universalism only when it suited them. Law was for the powerful to adjudicate, not to be adjudicated by.7

The Nazis took from an older German school of thought the view that instead of trying to subordinate national states to international control, it was individual states whose will and autonomy was sacrosanct; at extreme moments, this led German lawyers to deny the very possibility of international law. This denial gathered force with the rise from the mid-1930s of a racist reading of law. If politics was a struggle between races, each unified in its own state, then there could in reality be nothing they shared. (Sometimes the Nazis talked about Europe as a “community of peoples” but how this could be reconciled with the fundamental assumption of racial struggle as a motor of history was never made clear.) On this reading, each state would develop its own conception of law and it would not necessarily have anything in common with others. It followed that treaties were only to be observed insofar as it suited the signatories to observe them: they were “scraps of paper” as one German lawyer admitted in print, which could not be allowed to hold the well-being of the race hostage. Or, in the words of another: “Generally recognized international legal principles and international customs are recognized by Germany only when they coincide with the legal concepts of the German Volk.”8


The implications were particularly important for policy towards minorities. If blood was the basis of political belonging, then boundaries counted for little, and ethnic Germans in Poland or Czechoslovakia owed a primary allegiance not to those states but to the Reich. Nazi lawyers worked hard to peddle this view both because it allowed them leverage over the political organizations representing the ethnic Germans across eastern Europe and because they hoped to use it to pressure neighboring governments to cede rights over these minorities and thus allow the Reich to start interfering in their domestic affairs. These governments had on the whole been happy to follow the Reich’s lead in repudiating the League’s minority treaty provisions. But they were a lot less happy about allowing Hitler to pose as the legitimate master of their German minorities. In the late 1930s, as German power seemed boundless, they found it hard to resist; but during the war, and especially as German demands on them increased from 1942 onwards, a real struggle broke out between the Reich and nominal allies like Hungary over issues of sovereignty: Were the Hungarians, for instance, sovereign over all Hungarian citizens in the traditional sense? Or had ethnic Germans in Hungary suddenly ceased to be subject to Hungarian laws? Paradoxically, the experience of being allied to the Third Reich turned many right-wing Europeans into staunch defenders of older conceptions of national sovereignty.

What then did the Nazis propose in place of the League of Nations? Carl Schmitt, the most prominent and interesting legal mind on the German Right, who had long been a vehement critic of the League, explained this at the moment, in April 1939, when the German occupation of Prague demonstrated, for the first time, that Hitler aimed to do more than merely unify all ethnic Germans in a single state. What was the German intention for central Europe? In a word: domination. Schmitt singled out the League’s purported universalism for criticism. Airy claims to universal laws were at best hypocrisy, at worst recipes for instability. Instead, he said, stable legal regimes were those based on power over a clearly delineated territory. He gave the example of the United States: a Great Power which, according to him, ruled the Western Hemisphere on the basis of the Monroe Doctrine, prohibiting any other major power from interfering in its zone of influence.

The Monroe Doctrine was much discussed at this time, on both sides of the Atlantic, invoked in Berlin as a model for Europe, expanded by Washington as geopolitical rationalization for tighter hemispheric
cooperation. Both before and after the fall of France, Hitler himself stated that world peace could be secured by an understanding among major powers that each would run their own particular “Great Space.” “America for the Americans, Europe for the Europeans,” was how he was quoted in June 1940. The following month Roosevelt’s press spokesman awkwardly seemed to confirm the idea when he remarked that the US government believed in the application of a “Monroe Doctrine for each continent.” Two days later, he was emphatically overruled by Cordell Hull, the Secretary of State, who clarified that the Monroe Doctrine “contains within it not the slightest vestige of any implication [...] of hegemony on the part of the United States.” A year later, shortly after the Atlantic Charter (August 1941) had spelled out the Anglo-American commitment to universalism, self-determination, and the reconstruction of a new liberal order, British Foreign Secretary Anthony Eden still felt it necessary to spell out that the Roosevelt-Churchill proclamation “excludes all idea of hegemony or zone leadership in the east or the west.”

The Americans and British might have shuddered at a term which forty years later their own political scientists would regard very positively, but hegemony was the central idea around which the Germans initially developed their distinctive conception of world rule. A heavyweight analysis, Die Hegemonie by Heinrich Triepel, a respected retired professor of international law, had been published in Berlin in 1938, and together with Schmitt’s work, it provided the underpinnings for Germany’s vision of Europe in the heady months after the fall of France. Triepel saw leadership by one or more states as the sole contemporary path to reestablishing unity in Europe. This task would fall to the Reich, in partnership with Fascist Italy, allying itself with other smaller powers, establishing protectorates elsewhere. Hegemony thus reflected the newly inegalitarian constitutional structure of the Nazi New Order. Nazi politicians were less polite or mealy-mouthed than Triepel. There would be no question in future, according to propaganda chief Josef Goebbels, of some “crummy little state” acting independently or forgetting its place in the New Order.

In September 1940, the full diplomatic implications of the new doctrine were articulated in the Tripartite Pact between Germany, Italy, and Japan. As France’s Marshal Petain put it, the Pact was the expression of “those who tomorrow will preside over the reorganization of the world.” According to its preamble, a condition of any lasting peace was that “all nations of the world be given each its own proper
place.” That this rather vague formulation implied a system of hierarchy rather than equality among states was clarified in the first two articles in which the leadership of each signatory in a specific region — Italy and Germany for Europe; Japan for “greater East Asia” — was acknowledged by the others. That it was regarded as breaking with the past was conveyed by the repetitious use of the term “new order.”

Within two years, Berlin had moved from talking about a Monroe Doctrine which basically concerned central and eastern Europe (as in Hitler’s speech to the Reichstag of October 6, 1939) to the “pacification of the world.” In his conversations with Molotov in November 1940, the Führer spelled out the implications of this. He told Molotov that his recent conversations with Petain, Franco, and Mussolini had aimed to set up “in the whole of Europe some kind of Monroe Doctrine and to adopt a new joint colonial policy by which each of the powers concerned would claim for itself only as much colonial territory as it could really utilize.” The aim was a “great coalition of powers” which “would assert itself against the rest of the world.”

This conception of an Italo-German New Order in Europe, paralleled by a Japanese one in East Asia — and, Hitler hoped, a Soviet presence southwards through Iran to the Indian Ocean — perfectly encapsulated the notion of hegemony at a continental level. In its regionalism it differed sharply from the universalistic goals of the Atlantic Charter and the Declaration by United Nations of January 1942, and in place of national self-determination and the equality of nations it posited hierarchy and continued colonialism. But what the idea of hegemony as such did not clarify, and what remained opaque in the highly formal language of the Tripartite Pact, was the nature of the rules to be laid down by a hegemon such as the Third Reich within its zone of influence.

At the theoretical level, neither Schmitt nor Triepel had said much about that, perhaps because neither was a dedicated disciple of National Socialist racialism. After the war broke out, and especially with the invasion of the USSR in 1941, which hardened the racial dimension of Hitler’s own vision of the future, this exposed Schmitt in particular to criticism from more radical National Socialist political scientists. The group of intellectuals clustered around Heinrich Himmler in the SD — Wilhelm Stuckart, Reinhard Höhn, Werner Best, and others — who spent a considerable amount of time worrying about these issues, provide our chief guidance into hardline Nazi thinking about how race could be turned into a principle of international
governance. Their basic conception was that of stabilizing Europe by turning each state into an ethnically homogeneous whole. In some cases this was to happen through population exchanges and expulsions. But because they ruled out the possibility of assimilation — race-mixing was by their definition harmful — they were also prepared to contemplate more violent solutions. Indeed, on more than one occasion they went into print, admittedly at the most abstract level, to recognize the possibility of extermination as a means of national and continental purification. They seem to have believed that, since minorities had been such a source of international friction between the wars, the eradication of minorities and the imposition of hegemonic regional rule by the Third Reich would suffice to bring peace to inter-state relations in Europe. Creating a continent of “race-satiated states” would induce harmony, a kind of racialized Mazzinianism. And since having numerous tiny statelets under the Reich’s sway was easier than controlling larger states as junior partners, they favored fragmenting states like Poland; indeed they were willing to do the same for France, and had they conquered the United Kingdom, they would also have recommended autonomy for Wales and Scotland as a means of eroding British power.

Ironically, we now know that even as Nazi theorists were mounting an attack on the very idea of minorities, Nazi policy-makers were having to grapple with some of the same issues in eastern Europe that the League had been dealing with and coming up with surprisingly similar solutions. In the Protectorate, as Tara Zahra has shown, Nazi nationalities policy did not represent much of a break with the past, at least not where Germanization was concerned. Even more interesting is the case of Hungary and Romania. Because they were both allies of the Reich, Germany could not allow them, as seemed possible in 1940, to go to war with one another over their rival claims to Transylvania. Instead, Germany and Italy found that the best way of preserving their regional status as leaders was securing new minority rights regimes for those Hungarians and Romanians on the wrong side of the borders between the two states. Astonishingly, to our eyes, an Italo-German commission supervised both the Hungarian and the Romanian treatment of their minorities and ended up behaving rather similarly to how the League’s minorities secretariat had done a decade previously.

At the same time, what struck most contemporary observers of Nazi rule in occupied Europe were not the contradictions and the
similarities with the past, but the new light it shed on old assump-
tions. One important consequence of the Nazi assault on the League
and its values was that it led commentators in Britain and America to
wonder out loud what the future held for international law. “What’s
wrong with International Law?” asked one émigré law professor in
1941. It was not that the Nazis were thought to be right in their argu-
ments but that their rise to power had thrown into question many of
the most cherished beliefs of proponents of interwar international-
ism. Quincy Wright, a leading American supporter of the League,
noted with dismay that “totalitarianism has unmasked the inade-
quacy of [the philosophical and political foundations of international
law].” Law without the means of enforcement was discredited. Law as
an unquestioned fount of impartial authority lay in tatters. For some,
the lesson was to establish an international authority stronger than
the League had been with the power to make and enforce its laws. But
others wondered whether there existed the necessary shared values
among states to make this possible, or whether the very divergent
social conditions and ideologies would preclude it. The old shared
confidence in the nineteenth-century standard of civilization had
surely been mortally wounded by the rise of Nazism itself.14

To make matters worse for the lawyers who wished to see interna-
tional law become an effective supranational force, the war saw a
revival of support for the old idea of a Europe of nation-states.
Although Nazism had been at heart a doctrine of state sovereignty, it
had trampled heedlessly over the sovereignty of other nations. Early
in the war there had been a momentary impulse to see the nation-
state in Europe as the problem and to argue for federalism as the
solution. But this did not last, and by 1942 at the latest, the early
enthusiasm for recasting the map of Europe and creating a continent
of large federations had vanished. Émigré politicians took the lead in
demanding the restoration of their independence and pointed to the
Atlantic Charter in support of the restoration of self-determination.

It also led to a flourishing of power politics. In Britain, E.H. Carr
published his indictment of interwar idealism, setting the terms for
the rise of postwar realism as the dominant paradigm in international
relations. In the United States, émigré lawyer Hans Morgenthau
became the best-known proponent of this view. At the same time,
strategists like Nicholas Spykman affirmed the importance of ge-
ography in world affairs and urged a new global conception of U.S.
national security based on premises that resembled in many of

14 Wolfgang Friedmann, “The
Disintegration of European
Civilization and the Future
of International Law”,
Modern Law Review, 2
(1938), 194-214; (F.N. Keen,
“Review: What’s Wrong
with International Law?”,
Modern Law Review, 5:2
(Nov. 1941), 152-56;
Q. Wright, “International
Law and the Totalitarian
States”, American Political
Science Review, 35:4
(August 1941), 738-743.
their essentials the mainstream geopolitics of interwar continental Europe. As for the Monroe Doctrine, we should not forget that its last incarnation, after the mutations of 1940, was the “new Monroe Doctrine” enunciated by President Harry Truman in March 1947, which was almost immediately dubbed the Truman Doctrine. Both critics and supporters understood Truman’s decisive innovation to have consisted in globalizing the premises of the older Monroe doctrine and in that sense articulating a philosophy for a new global role for the United States.

It was thus in the war against Nazism that a more hardnosed approach to international engagement emerged in the United States, one which would underpin the turn to globalism in the Cold War. Nazism itself was decisively defeated and the chief body of interwar liberal internationalism, the League of Nations, was resurrected in the shape of the new United Nations. But although the latter embodied essential continuities from the League of Nations, it was also markedly different in some respects. Minority rights protection was dropped; Great Power hierarchy was re-established; and international law, the idea of arbitration, and obligatory disarmament all remained mere shadows of what they had stood for earlier. The imperfect interwar hegemony of the British was replaced by the far more powerful global hegemony of the United States, whose liberal internationalism was tempered by the experience of the war against Hitler and influenced by much of the geopolitical thinking that had emerged at that time. Riven with contradictions and uncertainty, the Nazi vision of international order was no sooner glimpsed — between 1938 and 1940 — than it vanished amid the rubble of defeat. But its influence and impact lasted for much longer; indeed in some respects, it remains to this day.

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