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Ernst H. Kantorowicz

*Scholarly Triumphs and Academic Travails in Weimar
Germany and the United States*

BY RALPH E. GIESEY

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The first issue of the journal *Traditio* to appear after the death of Ernst H. Kantorowicz in September 1963 was dedicated to him by a Latin inscription which can be translated this way:¹

"In memory of Ernst Kantorowicz, a man out of the ordinary, who by his erudition and his humanity enriched gloriously the art of history on both sides of the ocean."

Cis oceanum et ultra: the German who became famous overnight in 1927 for his biography of the thirteenth-century Emperor Frederick II, the American who published most of his works in English, the most memorable of them *The King's Two Bodies* in 1957.

The experience of successively changing nationalities Kantorowicz underwent was a common phenomenon of the Weimar generation: a Jewish German forced into exile by the Nazis. To be exiled from one's native land is always painful and distressing, particularly so for someone like Kantorowicz who had produced notable studies extolling his national culture and then was himself proclaimed to be alien to it. The scholarly merit of Kantorowicz's biography of Frederick II stands apart from and above its nationalistic strain, but its idealisation of the heroic leader was mocked by the advent of Nazism and the Nazi perversion of the very principle of humane rule. In Kantorowicz's later work, we find the individual ruler writ small and emphasis given instead to the traits and ideals of rulership which for better or for worse have prevailed over the centuries. *The King's Two Bodies* is a monument to the essential tension that exists between ruler and rulership.

The recollection and reputation of Kantorowicz survive in Germany and in the English-speaking world in somewhat different ways. *Kaiser Friedrich der Zweite* is still in print, but its scholarly apparatus – the footnotes and excurses – is to be found in a separate second volume which most Germans do not know;

¹*Traditio*, XX (1964), p. 1: "In Memoriam Ernesti Kantorowicz Viri Eximii Qui Eruditione Pariter et Humanitate Cis Oceanum et Ultra Artem Historicam Insigniter Auxit." The span of Kantorowicz's life was from 3rd May 1895 (Poznań) to 9th September 1963 (Princeton, N.J.); he never married.

for most, therefore, Kantorowicz appears as a learned populariser.² His American audience has been more limited and self-selected. Medieval German emperors have no great following in the United States regardless of how romantic and stirring the biographies of them may be, and the rest of Kantorowicz's work is directed only toward scholars. This work does retain its currency, however: both books written in English, the *Laudes Regiae* (1946) and the *King's Two Bodies* (1957), are still in print, as is a posthumously printed collection of twenty-five of his articles, entitled *Selected Studies*.³

Kantorowicz's reputation derives on the one hand from his precision as an intellectual historian, and on the other from the wide range of subjects he covered with a great variety of techniques. He moved easily from antiquity to early modern Europe and was adroit in handling such auxiliaries and sister disciplines as art and liturgy, numismatics, ceremonial and jurisprudence. He would have accepted being called an archaeologist of intellectual history, a gatherer of the verbal and visual shards of ideas with which to reconstruct the characteristics and convictions of a society. If rulership was most often his theme, this involved, in addition to kings ruling their subjects politically, individuals ruling themselves intellectually and morally.

Frederick II first aroused Kantorowicz's interest not from the usual traversing of medieval history that one would expect, but through the circuitous route of Islamic studies. His interest in Islam began in the two years of his army service in Turkey during the First World War. After the war he took up the study of history and political economy at Heidelberg, and in 1921 wrote his thesis on *Islamic Corporations*. One seminar taken in these years was devoted to the influence of Islam upon other cultures, and Kantorowicz chose to study Sicily, where Frederick II was king by maternal inheritance before succeeding his father as Holy Roman Emperor.⁴

²By the year 1939 Verlag Bondi in Munich had published five editions, about 15,000 copies, of the text volume of *Friedrich der Zweite*, according to a note in the Kantorowicz archive (see below, note 24); volume two (*Ergänzungsband*) was then being sold separately. Kantorowicz agreed only begrudgingly to the photomechanical reprinting of the work in 1963, insisting that both volumes and not just the text be available and that the 'Secret Germany' preface of the text volume be eliminated (on this see below, note 9). Grünewald (below, note 4), pp. 158-167, relates the negotiations leading up to the 1963 edition. The *Ergänzungsband* is not included with the English translation by E. O. Lorimer, *Frederick the Second, 1194-1250*, London 1931, republished in 1957 and currently available from Frederick Unger Publishing Company, New York, nor in the Italian ones by Maria Offergeld-Merlo, *Federico II di Svevia*, Milan 1939, and by Gianni Pilone Colombo, *Federico II, Imperatore*, Milan 1976, although the latter does append some elements drawn from it.

³The *Laudes Regiae* went through two editions at the University of California Press (1947, 1958) and is now available from Kraus Reprint Corporation, Millwood, N.Y. The *King's Two Bodies* also has had two editions (1957, 1966) at Princeton University Press, and a paperback edition has been available since late 1981. *Selected Studies by Ernst H. Kantorowicz*, J. J. Augustin Locust Valley, N.Y. 1965, is still available from the publisher.

⁴This chance happening was once related to me by Kantorowicz, but it should be said that in later years he seldom spoke about his earlier life and usually just for whimsical reasons. Kantorowicz's career in Germany has recently been documented extensively by Eckhart Grünewald, *Ernst Kantorowicz und Stefan George: Beiträge zur Biographie des Historikers bis zum Jahre 1933 und zu seinem Jugendwerk "Kaiser Friedrich der Zweite"*, Steiner Verlag, Wiesbaden 1982, a conscientious work that goes far beyond the sources used by me in this paper (as cited below in notes 5, 6, 9, 18) without,

Kantorowicz drifted away from the Islamic studies after finishing his thesis, however, and for a while considered ancient history; in the *Gymnasium* he had been well trained in Latin and Greek. The seminar paper he wrote for the historian Alfred Domaszewski, entitled 'The Godly Attributes of Alexander', fits in with the theme of god-king mimesis so prominent in his later work, but he seems not to have been interested in the ancient world on its own. Instead, his teacher said, "he pursues any and every subject which links the East with the West".⁵ East and West correspond here for the most part with ancient and medieval, and if to these geographical and temporal dualities were added the topical one of God and King then the major part of his life's work would be embraced.

The serious commitment to Frederick II was concurrent with the close friendship Kantorowicz developed with Stefan George in the early 1920s. As Maurice Bowra has written about that period in Kantorowicz's life, George "provided the attachment which Ernst needed . . . built up his confidence, excited his imagination, and made him work".⁶ Also, as every student of Weimar Jewry knows, the *Georgekreis* was "a haven of retreat for Jewish intellectuals", and Hans Liebeschütz (whose phrase that is) essayed in the pages of this Year Book some years ago to judge Kantorowicz's work in that light.⁷ There is no doubt that the young scholar characterised the Staufan Emperor in terms congenial to the mature poet's vision of the heroic personality in history, for George was in this respect an avowed follower of Nietzsche. Frederick II stands out in Kantorowicz's work not as a Teutonic hero, but as a Roman Emperor. The German world was made more civilised by the infusion of Mediterranean culture through Frederick II, who was born, raised and lived most of his life in Italy. Kantorowicz presented the character of Frederick II not in Wagnerian but in Dantesque terms. He always regarded Frederick as a true progenitor of the Renaissance.⁸

however, superseding them as intellectual history. Thirty letters written by Kantorowicz to George during the years 1924-1933 (now in the Stefan George - Archiv, Stuttgart) are used by Grünewald to elucidate the relationship between the old poet and the young scholar in great detail, but they do not alter the conception of the subject long since established by those who knew it at first hand. My failure to provide Eckhart Grünewald with the Kantorowicz papers I possessed (*op. cit.*, p. 1, note 2; the papers now in the Archives of the Leo Baeck Institute in New York city - see below, note 24) was by inadvertence rather than design, but makes little difference: save for a couple of unpublished lectures from Kantorowicz's Frankfurt days that would have supplemented Grünewald's account, the bulk of those papers concern Kantorowicz's later life.

⁵Edgar Salin, *Zum 4. Dezember 1963*, pp. 2-3. This privately printed little piece apparently takes its title from the thirtieth anniversary of the death of Stefan George, but is actually a memorial to Kantorowicz. See also Salin's piece in *Historische Zeitschrift*, 199 (1964), pp. 551-557.

⁶C. M. Bowra, *Memories, 1898-1939*, London 1966, p. 289. Some of George's reminiscences of Kantorowicz are gathered in L. Helbing and Claus Victor Bock (eds.), *Stefan George, Dokumente seiner Wirkung*, Publications of the Institute of Germanic Studies, University of London, vol. 18, Amsterdam 1974, pp. 146-148, but the fullest account of the George-Kantorowicz relationship is given in the monograph by Grünewald and the essays of Salin and Malkiel cited in notes 4, 5 and 9.

⁷*ILBI Year Book IX* (1964), pp. 345-347.

⁸David Abulafia, 'Kantorowicz and Frederick II', *History*, LXII (1977), pp. 193-210, provides a full exposition of the work and an appreciation of its enduring influence in the scholarly world fifty years after its publication; see pp. 193-195 for the close relationship between some poems and themes in Kantorowicz's book.

First-hand reminiscences of Kantorowicz's relations with George have been recorded by members of the George Circle. Although Kantorowicz was at most only on the periphery of the *Georgkreis* during the poet's lifetime and rejected the very idea of the circle later on, his biography of Frederick II is one of the scholarly masterworks that appeared in *Blätter für die Kunst*. Since this series of the Bondi publishing firm was devoted to the works of George and his followers, Kantorowicz was attached to a man and a movement that have a special place in early twentieth-century German culture.⁹

The success *Kaiser Friedrich der Zweite* had with the general public derives from its romantic and nationalistic character. Younger scholars also felt it was a breath of fresh air in the heavily positivistic atmosphere of German historiography. But the intellectual biography of a great national leader – here the veritable Caesar of the high Middle Ages – was bound to provoke controversy. The absence of footnotes limited the work's scholarly value: those favourable to the thesis could not readily verify its sources, those hostile to it could allege the defeat of the evidence by the author's *imagination créatrice*. That gallic quip came from the distinguished medievalist Albert Brackmann, who in May 1929 delivered an address to the Prussian Academy of Sciences, which was immediately printed in the *Historische Zeitschrift*, warning the scholarly world against the danger of this kind of history emanating from the "George-School". Kantorowicz replied in the pages of the same journal, defending the "Mythical View" smartly as a thirteenth-century creation which he only sought to recapture, and for which a creative imagination was surely less to be feared than the *réalisme destructeur* of the devotees of "pure fact".¹⁰

Kantorowicz's full reply to the criticism of having written according to an *idée fixe* was to spend two years composing a separate book of scholarly references to the biography, a volume of footnotes annotating every page of the text and adding ten learned excurses. This *Ergänzungsband* (1931) may not have changed the minds of his ideological opponents, but it did provide his sympathisers with a full critical apparatus with which to assess his style of intellectual history. He

⁹The extensive quotations from Kantorowicz-to-George letters by Grünewald (see above, note 4) provide private insights into that relationship, abetting what Salin, himself a member of the *Georgkreis*, has written about the subject (see above, note 5). Peter Gay devotes some pages to Kantorowicz in a chapter on George entitled "The Secret Germany" in his *Weimar Culture*, New York 1968, pp. 46–51, but see Grünewald's excursus on "Das 'Geheime Deutschland'", (*op. cit.*, pp. 74–80; also *passim*) for a more precise account. A lecture written (but probably never delivered) by Kantorowicz in late 1934 reveals what he really felt about the subject, Leo Baeck Institute Archive (see below, note 24), Box 2, Folder 7. The two long biographical sketches of Kantorowicz written by Yakov Malkiel were inspired largely by his interest in George and the *Georgkreis*: in *Romance Philology*, XVIII (1964), pp. 1–15, and in Arthur R. Evans, Jr. (ed.), *On Four Modern Humanists*, Princeton 1970, pp. 146–219.

¹⁰Albert Brackmann, 'Kaiser Friedrich II. in "Mythischer Schau"', *Historische Zeitschrift*, CXL (1929), pp. 534–559, esp. p. 548; "'Mythenschau': eine Erwiderung von Ernst Kantorowicz", *ibid.*, CXLI (1930), pp. 457–471. Brackmann, an editor of the journal, had the last word with a seven-page rebuttal directly following Kantorowicz's article, as he could document his *ad hominem* arguments about Kantorowicz with reference to Friedrich Wolter's new "official" biography of Stefan George. The entire Kantorowicz-Brackmann controversy was reprinted in Günther Wolf (ed.), *Stupor Mundi*, Darmstadt 1966, pp. 5–48, and is artfully summarised in Abulafia, 'Kantorowicz and Frederick II', *loc. cit.*, pp. 201–203.

resolved never again to publish a serious work without an *apparatus criticus*.¹¹

The biography of Frederick II brought Kantorowicz a position at the University of Frankfurt, first as Honorary Professor in 1930 and two years later as *Ordinarius* with the chair of medieval and modern history. His tenure was short. In April, 1933, he took leave of absence in protest against antisemitic regulations that were imposed in the wake of the Nazis' advent to power and in 1934 he lost his chair and was forced into retirement, a professor emeritus at the age of thirty-nine.¹²

The five years between leaving the university and leaving Germany were necessarily an agonising time. Not only was the dignity of his ethnic origin offended, but also his sense of national pride was humiliated. During these years he was often outside the country. In England, he wrote the first of his articles on the legal-intellectual relations between Norman Sicily and Norman England. In Belgium and France he did considerable work on the Burgundian Duke Charles the Bold. But most of the time was spent in Berlin, working on what might be called "early medieval political liturgy". A complete manuscript was ready for publication by 1938, but new laws against the publication of works by Jews thwarted that.¹³ The work did not appear until 1946, after having been put into English by the author under the title *Laudes Regiae: A Study in Liturgical Acclamations and Mediaeval Ruler Worship*.

The *Laudes*'s preface propounds some basic principles of the history of Western civilisation which shaped most of Kantorowicz's work. First of all, in terms of the work at hand involving the use of liturgical elements, he observed that before the twentieth century the professional medievalist rarely ventured to lose himself in "the magic thicket of prayers, benedictions and ecclesiastical rites".

"In this respect the ancient historian differed profoundly from the mediaevalist. Not even in our age of habitual superspecialization would a scholar in classics venture to study, or pretend to understand, the political and cultural history of antiquity without an intimate knowledge of the cults and religious customs of Greece, Rome, and the Near East. In the ancient world there was no split between the holy and the profane. The ancient historian, therefore, had the great advantage of being himself the 'theologian' and the 'church historian' of his period."¹⁴

If it is obvious that religious prejudice is to blame for breeding the "dualism of holy and profane" with which medieval studies were afflicted, it is less

¹¹And further, as he once said to me, always to have *footnotes* and not notes at the end of the book.

¹²See below, note 17, for an elaboration of these events.

¹³A list of publications drawn up by Kantorowicz early in 1939 (and now kept in the Archives of the Leo Baeck Institute in New York) has this entry: "1938: *Laudes Regiae*. Studien zu den liturgischen Herrscher-Akklamationen des Mittelalters (planned as a private print, but withdrawn by the publisher quite recently)". At this very time, Kantorowicz's English friends asked high officials in the British government to intercede with the German government to permit Kantorowicz to emigrate. The answer of the Foreign Secretary, Lord Halifax, to C. M. Bowra, Warden of Wadham, contains these lines evocative of the spirit of appeasement: "... In the present case, I think that foreign pressure in matters which concern a German national is resented by the German authorities and likely to rebound to the disadvantage of the person one is anxious to assist. ... I am afraid that the German authorities may resent our interference and make it more difficult for Prof. Kantorowicz to leave." Archives of the Leo Baeck Institute in New York (see below, n. 24), Box 1, Folder 7.

¹⁴*Laudes Regiae. A Study in Liturgical Acclamations and Mediaeval Ruler Worship*, Berkeley-Los Angeles 1958, p. vii.

appreciated how this dualism has saddled us with an awkward legacy of professional periodisation. In most countries "Medieval and modern history" have been bound together, but not "ancient and medieval", so that "the ideological approach to the Middle Ages [has been] much too often determined by problems suggested in view of modern history, and modern problems are far remote from cults of the gods, religious rites, and liturgical functions".¹⁵ Historians of late antiquity have recently established the links between Near Eastern religious ideas and early Christianity and revealed the influence of the cult of the emperors upon the image of Christ, but the implications of this for early medieval history have been shunned by medievalists. If, as Kantorowicz maintained, western religious sentiment up to about A.D. 1200 was much more closely related to the cults of late antiquity than it was to any modern ecclesiastical institutions, then a major transformation of Western civilisation must have taken place during the twelfth century.

Seen in these terms, the *Laudes Regiae* forms a companion volume to the *King's Two Bodies*, the *Laudes* dealing with the early Middle Ages, when the ideal of priest-king was strong and the cult of the ruler embedded in liturgical chants that look back to antiquity, the *King's Two Bodies* dealing with the high and later Middle Ages, when the ideal of king as judge and lawgiver came to prevail and theology was the handmaiden of politics in defining the office of the ruler in the evolution of the modern state. F. W. Maitland, whom Kantorowicz greatly admired, once said that modern political notions were often forged in medieval legal smithies; Kantorowicz might have added that the metal wrought in those legal smithies was often mined from theology.

The *King's Two Bodies* starts with Christ-centred kingship (chiefly in the eleventh century), and moves through law-centred kingship (where Frederick II appears in a guise different from that of thirty years earlier) and polity-centred kingship (where the metaphor of the mystical body of the Church becomes the mystical body of the State) to how notions of continuity and corporations affected kingship ("the king never dies"). The lawyers of Tudor England who developed the fiction of the "king's two bodies" – the body natural which is mortal and the body politic which never dies – had no idea of the deeper origins of this concept and, indeed, might have been quite disturbed to realise how much it owed to Romano-canonical jurists and Catholic theologians. The intellectual historian who uncovers this process, allowing us to see what a past generation did not know about its own beliefs, also provides us with some better chance of probing our own subliminal prejudices. For, aside from the aesthetic satisfaction of showing the true contours of ideas that defined some bygone paradigm, such feats of intellectual history prod us to wonder what vital (or moribund) notions may be behind our own set of beliefs. The *King's Two Bodies* does not go beyond the seventeenth century, but it provokes reflection in myriad ways about rulership in the twentieth.

Concomitantly with his main work on medieval kingship Kantorowicz composed many short studies which have no explicit connection with rulership. Ten published articles recount what the life of learning in medieval time meant

¹⁵*Ibid.*

for Kantorowicz. He referred to them already in the late 1930s as 'Studies in Mediaeval Learning and Education'. They included such topics as 'Bolognese Rhetors and Writers of the Twelfth and Thirteenth Centuries', 'The Reappearance of the Secluded Scholarly Life' and 'Nobility Achieved by Education'.¹⁶

During two crises in his life he jeopardised his own professional position to defend the dignity of scholarship. The first instance, in Frankfurt in 1933–1934, was the result of the offensive against his ethnic origin, the second, in Berkeley in 1949–1951, of an effort to supervise his professional conscience. Impassioned declamations went with these events and ask to be quoted *in extenso*. The first is a letter addressed to the Minister of Education on 20th April 1933, the day after the trustees of the University of Frankfurt issued an order that would require Jews who conducted seminars to enforce antisemitic actions.¹⁷

¹⁶Mentioned in a "Curriculum Vitae" and notes of work in progress, written in 1938, now also in the Archives of the Leo Baeck Institute.

¹⁷*Dokumente zur Geschichte der Frankfurter Juden 1933–1945*. Herausgegeben von der Kommission zur Erforschung der Geschichte der Frankfurter Juden, Frankfurt a. Main 1963, pp. 99–100. This remarkable statement is worth quoting in full in German also.

Professor Dr. Ernst Kantorowicz an den Minister für Wissenschaft, Kunst und Volksbildung, 20.4.1933.

Von meiner Tätigkeit als o. ö. Professor für mittlere und neuere Geschichte und für historische Hilfswissenschaften bitte ich, mich für das Sommer-Semester 1933 beurlauben zu wollen.

Obwohl ich als Kriegsfreiwilliger vom August 1914, als Frontsoldat während der Dauer des Krieges, als Nachkriegskämpfer gegen Polen, Spartakus und Räterepublik in Posen, Berlin und München eine Dienstentlassung wegen meiner jüdischen Abstammung nicht zu gewärtigen habe; obwohl ich auf Grund meiner Veröffentlichungen über den Staufer-Kaiser Friedrich den Zweiten für meine Gesinnung gegenüber einem wieder national gerichteten Deutschland keines Ausweises von vorgestern, gestern und heute bedarf; obwohl meine jenseits aller Zeitströmungen und Tagesereignisse begründete, grundsätzlich positive Einstellung gegenüber einem national regierten Reich auch durch die jüngsten Geschehnisse nicht hat ins Wanken kommen können, und obwohl ich ganz gewiß keine Störungen meiner Lehrtätigkeit seitens der Studenten zu erwarten habe, sodaß eine etwaige Rücksichtnahme auf den ungestörten Lehrbetrieb der Gesamt-Universität damit für mich entfällt, so sehe ich mich als Jude dennoch gezwungen, aus dem Geschehenen die Folgerungen zu ziehen und im kommenden Sommer-Semester meine Lehrtätigkeit ruhen zu lassen. Denn solange jeder deutsche Jude – wie in der gegenwärtigen Zeit der Umwälzung – schon durch seine Herkunft fast für einen „Landesverräter“ gelten kann; solange jeder Jude als solcher rassemäßig für minderwertig erachtet wird; solange die Tatsache, überhaupt jüdisches Blut in den Adern zu haben, zugleich einen Gesinnungsdefekt involviert; solange jeder deutsche Jude sich einer täglichen Antastung seiner Ehre ausgesetzt sieht ohne die Möglichkeit, persönliche oder gerichtliche Genugtuung zu erzwingen; solange ihm als Studenten das akademische Bürgerrecht versagt, der Gebrauch der deutschen Sprache nur als „Fremdsprache“ gestattet wird, wie es die auch im Universitätsgebäude selbst angeschlagenen Aufrufe der Deutschen Studentenschaft fordern dürfen; solange durch Dienstbefehl auch den Juden als Leitern der Seminare zugunsten wird, sich aktiv an jüdenfeindlichen Aktionen zu beteiligen (Rundschreiben des Kuratoriums vom 19. April 1933, T. Nr. 1049 Abs. 1); und solange jeder Jude, gerade wenn er ein nationales Deutschland voll bejaht, unfehlbar in den Verdacht gerät, durch das Bekunden seiner Gesinnung nur aus Furcht zu handeln oder bloß seinen persönlichen Vorteil suchen, nach Pfründen jagen und seine wirtschaftliche Existenz sichern zu wollen; solange daher jeder deutsche und wahrhaft national gesinnte Jude, um einem derartigen Verdacht zu entgehen, seine nationale Gesinnung eher schamhaft verbergen muß, als daß er sie unbefangenen kundtun dürfte; solange erscheint es mir als unvereinbar mit der Würde eines Hochschullehrers, sein nur auf innerer Wahrheit begründetes Amt verantwortlich zu versehen, und solange auch als eine Verletzung des Schamgefühls der Studenten, seine Lehrtätigkeit, als wäre nichts geschehen, stillschweigend wieder aufzunehmen.

Frankfurt/M, Kuratorium der Universität, Personalakten.

"Although I, who volunteered for war service in August 1914, fought at the front during the war and after the war against Poles in Poznań, the Spartacus-Insurrection in Berlin and the *Räterepublik* in Munich, do not expect to be dismissed from office because of my Jewish descent; although I, because of my published writings on the Staufen Emperor Frederick II, need no credentials from yesterday or today to vouch for my sentiments towards a nationally re-orientated Germany; although my fundamentally positive attitude towards a nationally geared *Reich* goes far beyond current trends or events and has not wavered even in the light of the most recent occurrences, and even though I certainly need not expect any disruption of my lectures from my students and as far as I am concerned my teaching activities in the university as a whole will continue undisturbed, nevertheless I, as a Jew, am forced to draw certain conclusions from what has happened and to set aside my professional duties in the coming summer semester. For as long as any German Jew – as in this present period of upheaval – can be considered almost as a traitor just because of his origin; as long as every Jew is deemed racially inferior; as long as having any Jewish blood in one's veins implies a defect in national convictions; as long as every German Jew sees his honour brought into question daily without any chance of exacting personal or legal redress; as long as academic citizenship as a student is denied him and he is permitted to use German only as a 'foreign' language as the proclamations posted in the university itself by the *Deutsche Studentenschaft* are permitted to demand; as long as official orders require Jews who are seminar leaders to participate actively in anti-Jewish acts (circular letter of the Trustees, 19th April 1933, Nr. 1049, para. 1); and as long as every Jew even if he states his full acceptance of a national Germany unfailingly falls under the suspicion that his declaration is motivated by fear, self-seeking, the search for sinecures and economic security; so long will every German and truly patriotic Jew who wishes to escape such suspicion have to hide his patriotism shamefacedly instead of proclaiming it proudly; and so long therefore does it seem to me to be incompatible with the dignity of a university professor to continue discharging his office – an office based only on intrinsic truth – and to be an affront to his students' sense of shame to resume his teaching without saying anything, just as if nothing had happened."

Kantorowicz would not allow himself to be bullied into actions that put his patriotism as a German at odds with his honour as a Jew. He had disdained many aspects of liberal thought in Weimar culture, but he defended the Weimarian principles of toleration and of safeguarding human dignity when they were faced with deprecation by National Socialism.

Kantorowicz's protest took the official form of a resignation as *Ordinarius* at Frankfurt, a position he would have dishonoured had he exercised it under the new mandate. It was most fitting, therefore, that when the University of Frankfurt planned the celebration of its fiftieth anniversary, in 1964, Kantorowicz was chosen as one of two professors (Franz Oppenheimer being the other) to be specially honoured. He might well have returned for the occasion, but some months before it took place he died. The festivities thus became a memorial. The element of atonement was plainly present, though stated with dignity, in the rector's opening remarks, and the address given by his latter-day



Bust of Ernst H. Kantorowicz (aged thirty-five) by Alexander Zschokke of Basle, now in the Historisches Seminar of the Johann-Wolfgang-Goethe Universität, Frankfurt a. Main



Commemorative medal designed by Waldemar Raemisch intended for the 60th birthday of Kantorowicz – never struck

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Kantorowicz would not allow himself to be bullied into actions that put his patriotism as a German at odds with his honour as a Jew. He had disdained many aspects of liberal thought in Weimar culture, but he defended the Weimarian principles of toleration and of safeguarding human dignity when they were faced with depredation by National Socialism.

Kantorowicz's protest took the official form of a resignation as *Ordinarius* at Frankfurt, a position he would have dishonoured had he exercised it under the new mandate. It was most fitting, therefore, that when the University of Frankfurt planned the celebration of its fiftieth anniversary, in 1964, Kantorowicz was chosen as one of two professors (Franz Oppenheimer being the other) to be specially honoured. He might well have returned for the occasion, but some months before it took place he died. The festivities thus became a memorial. The element of atonement was plainly present, though stated with dignity, in the rector's opening remarks, and the address given by his latter-day

successor in the chair of medieval history, Josef Fleckenstein, is the fullest appreciation of Kantorowicz's work that has appeared.¹⁸

The second great crisis of Kantorowicz's professional life came after he had been at the University of California at Berkeley for ten years – certainly one of the happiest decades of his life. The regents of the university, caught up in the anti-Communist hysteria of the cold war years, added to the traditional oaths of allegiance to the federal and state constitutions (required of all state employees) a disclaimer required only of faculty members that he or she had never been a member of any subversive group. On 14th June 1949, within days of the announcement of the new form of the oath, Kantorowicz read a statement on the floor of the university's Academic Senate in which he warned against it. Citing oaths in history, specifically those to Mussolini in 1931 and Hitler in 1933, he declared:¹⁹

"It is a typical expedient of demagogues to bring the most loyal citizens, and only the loyal ones, into a conflict of conscience by branding non-conformists as un-Athenian, un-English, or un-German . . . The true and fundamental issue at stake [is] professional and human dignity. There are three professions which are entitled to wear a gown: the judge, the priest, the scholar. This garment stands for its bearer's maturity of mind, his independence of judgment, and his direct responsibility to his conscience and his God. It signifies the inner sovereignty of those three interrelated professions: they should be the very last to allow themselves to act under duress and yield to pressure."

A year later, at the height of the controversy, Kantorowicz published a pamphlet the title of which, *The Fundamental Issue*, was drawn from his senate speech the year before. By then the conflict had been redefined in the eyes of many, so that disclaiming membership in the Communist Party, which the Regents' oath pretended to achieve, was less important than whether the Regents had the power to require *any* additional oath. It might be legal if the professors were to be regarded as employees of the university's regents, but if they were to be regarded as officers of public trust, like the regents themselves, then the regents had no power to impose special oaths upon them. One regent had likened professors to janitors and gardeners as employees of the regents. That posed the question of unionisation: why had professors, or for that matter judges or ministers, not founded unions?

¹⁸ *Frankfurter Universitätsreden, Heft 34: Ernst Kantorowicz zum Gedächtnis*, Frankfurt a. Main 1964), pp. 11–27, with the rector's introduction on the preceding two pages. Also noteworthy as an appreciation of Kantorowicz's work is the article by his friend Friedrich Baethgen in *Deutsches Archiv für Erforschung des Mittelalters*, XXI (1965), pp. 1–14. H. M. Schaller's bibliography appended to this article (pp. 14–17) is not as complete as the one published the same year in Kantorowicz's *Selected Studies*, pp. xi–xiv.

¹⁹ The version of this senate speech given by David P. Gardner, *The California Oath Controversy*, Berkeley–Los Angeles 1967, pp. 34–36, documented as "Text on file in the office of the Academic Senate, University of California, Berkeley", omits the four sentences quoted by me here after the word "un-German"; my text is from Kantorowicz's *The Fundamental Issue: Documents and Marginal Notes on the University of California Loyalty Oath*, San Francisco 1950, pp. 4–6.

"Why is it so absurd to visualize the Supreme court justices picketing their court, bishops picketing their churches, and professors picketing their university? The answer is very simple: because the judges *are* the Court, the ministers together with the faithful *are* the Church, and the professors together with the students *are* the University. . . Accordingly to the oldest definitions, which run back to the thirteenth century, 'The University' is the *universitas magistrorum et scholarium*, 'The Body Corporate of Masters and Students'. Teachers and students together *are* the University regardless of the existence of gardens and building, or care-takers of gardens and buildings. One can envisage a university without a single gardener or janitor, without a single secretary, and even – a bewitching mirage – without a single Regent. The constant and essence of a university is always the body of teachers and students."²⁰

These sentiments look backwards to older times, such as the statement of Theodor Mommsen a century earlier that "it is far easier to dethrone a cabinet minister than it is to dismiss a full professor".²¹ Lest one think that Kantorowicz was moved solely by this notion, which can easily seem tinged with superciliousness in today's more egalitarian milieu, let it be added that he also proposed at one juncture that the faculty bind itself to quit its duties if the regents did not withdraw the oath at a forthcoming meeting and, even more, to resign as a body if the Regents dared to dismiss any of the teaching staff, including teaching assistants, for the sole reason that they had not signed the oath.²²

Kantorowicz fought the oath successfully in the courts along with eighteen others dismissed as "non-signatories" in 1951. The California Regents' atonement therefore took the form of a court order to indemnify the dismissed faculty and offer them reinstatement. Kantorowicz had in the meantime, however, accepted a professorship at the Institute for Advanced Study and spent the last twelve years of his life in Princeton.

The *King's Two Bodies*, published in 1957, is the crowning publication of this period, but well before it appeared Kantorowicz was occupied with yet another field of medieval rulership: Byzantium. His relationship with the Dumbarton Oaks Research Library began in Berkeley days, and it grew closer due to more frequent visits when he moved to Princeton. He always participated in its annual symposium on Byzantine studies, and his last large scholarly project was to have been a series of six studies to appear in *Dumbarton Oaks Papers*. One of them was completely finished and published posthumously, a long essay entitled 'Oriens Augusti – Lever du Roi' which follows the image of the king as the rising sun in Hellenistic times, in Byzantium, and in Bourbon France.²³ Besides fulfilling the East-West connection predicted by his early teacher – who had also guessed that Byzantium might eventually become his special subject – it is clear that the full history of the transmission of late-antique ruler cults into

²⁰*Ibid.*, pp. 15–16.

²¹*Ibid.*, p. 33.

²²Gardner, *California Oath Controversy*, pp. 120–121.

²³*Dumbarton Oaks Papers*, XVII (1963), pp. 119–177.

Christianity and thence into the medieval world required that there be added to *Frederick II*, the *Laudes Regiae*, and the *King's Two Bodies*, what happened in the Greek Christian empire centred in Constantinople during the thousand years before it fell. The five unpublished Byzantine studies, all of them in at least lecture form, constitute the most important part of Kantorowicz's scholarly *Nachlass*.²⁴

Those who have already written about Kantorowicz have taken special care to describe his lively personality, his conviviality and charm as a host.²⁵ Conversations with "Eka" – his nickname, derived from his initials – were unusually well-remembered events, whether they were witty or serious, and usually they were both. Nor can those who were near him in the last year of his life forget his fortitude, almost nonchalance, when he knew he was going to die.

All these things can be summed up in the *humanitas*, a word that represents the theme which forms the common thread of his teaching. It also recurs in his written works, consummately in the concluding chapter entitled 'Man-Centered Kingship: Dante' of the *King's Two Bodies*. Some critics have frowned on that chapter as being anticlimactic for the topic of the king's two bodies, yet it provides a perfect coda to the life and aspirations of Ernst Kantorowicz.

The heart of the matter is found toward the end of the *Purgatorio*, when Dante is bidden adieu by his guide Virgil. Virgil says: "Free, upright and whole is thy will, and 'twere a fault not to act according to its prompting; wherefore I do crown and mitre thee over thyself."

Te sopra le corono e mitrio

Herewith the emperor's crown that symbolises temporal and intellectual values is joined with the pope's mitre that symbolises spiritual values and both are

²⁴See *ibid.*, p. 118, for a note on these five papers. According to the terms of Kantorowicz's testament, nothing not already in press was to be published after his death and his "letters and correspondence" were to be destroyed. His "unpublished articles, notes and lecture notebooks" were bequeathed to Michael Cherniavsky and myself. A select portion of them have been preserved, along with the author's copies of his published works (many of them heavily annotated); and have recently been donated to the Archives of the Leo Baeck Institute in New York (No. AR 7216). Some personal memorabilia concerning Kantorowicz has also been given to that Institute by family heirs, especially documents and pamphlets relating to the California Oath controversy. The donation to the LBI Archives from Dr. Beate R. Salz of Saskatoon, Canada contains official correspondence from 1930 to 1939, including a file of material on the Nazi seizure of power and the takeover of the University of Frankfurt which contains transcripts of faculty meetings from April to June 1933, circulars distributed to faculty members by the rector and several typed drafts of Kantorowicz's letter of resignation. Transcripts of the University of California's proceedings against Kantorowicz are also part of Dr. Salz's gift.

²⁵To the writings by colleagues and friends already mentioned there should be added an appealing article published by a former student, Grover Sales, Jr., "The Scholar and the Loyalty Oath", *The San Francisco Chronicle*, 8th December 1963, pp. 27–30.

Kantorowicz resisted special efforts by his friends to honour him. He openly opposed a *Festschrift* and also cut short the making of a commemorative medal when he heard about the project – but not before a model of the piece had been sculpted by Waldemar Raemisch (see opp. p. 196). The reverse type, suggested by Erwin Panofsky, comes from an Alciati emblem entitled "Vino prudentiam auguri", which places Pallas Athena in friendly juxtaposition to Bacchus; the medal's legend, "Junguntur merito", is drawn from Alciati's verses explaining the emblem.

invested in a mere poet. It is the veritable declaration of the sovereignty of the individual. If the jurists had artfully brought forth the tension between the king's body natural and his body politic; "It remained to the poet to visualize the very tension of the 'Two Bodies' in man himself, to make *humanitas* . . . the sovereign of *homo*".²⁶ The idealised Dignity of all mankind is the office every mortal human must try to fulfil. Kantorowicz learned it though living and studying and gave it back in his writing, his teaching, and his human relations. That is what Erwin Panofsky meant when he composed this inscription as the frontispiece for the posthumous publication of his friend's *Selected Studies*:

D. M.
 ERNESTI H. KANTOROWICZ
 MAGISTRORUM MAGISTRI
 DISCIPULORUM DISCIPULI
 AMICORUM AMICI
 VITAM AMAVIT MORTEM NON TIMUIT

"To the memory of Ernst H. Kantorowicz: a teacher's teacher, a student's student, a friend's friend; he loved life, he feared not death".



Bust of Ernst H. Kantorowicz (aged thirty-five) by Alexander Zschokke of Basle, now in the Historisches Seminar of the Johann-Wolfgang-Goethe Universität, Frankfurt a. Main



Commemorative medal designed by Waldemar Raemisch intended for the 60th birthday of Kantorowicz – never struck

²⁶ *King's Two Bodies*, p. 495.