

Kaufmann, Erich, born in 1880.

- 1). Auswärtige Gewalt und Kolonialgewalt in den Vereinigten Staaten von Amerika. Leipzig 1908.
- 2). Die Gleichheit vor dem Gesetz im Sinn des Art. 109. der Reichsverfassung. Berlin 1923.
- 3). Grundfragen der künftigen Reichsverfassung. Berlin 1919.
- 4). Probleme der internationalen Gerichtsbarkeit.
(Grundfragen der internationalen Politik. Leipzig 1932.
Fasc. 1 p. 1 - 22.)
- 5). Das Wesen des Völkerrechts und die Klausel rebus sic stantibus. Tübingen 1911.
- 6). Zur Problematik des Volkswillens. (Institut für ausl. öffentl. Recht und Völkerrecht. Beiträge, Berlin 1931, Fac. 17 p. 1 - 19.)

- 1). Auswärtige Gewalt und Kolonialgewalt in den Vereinigten Staaten, 1908. (Staats- und Völkerrechtsabhandlungen V. 7, no. 1)
- 2). Die Gleichheit vor dem Gesetz im Sinn des Art. 109 der Reichsverfassung. 1927. (Vereinigung der Deutschen Staatsrechtslehrer, Veröffentlichungen Heft 3.)
- 3). Grundfragen der künftigen Reichsverfassung, 1909.
- 4). Probleme der Internationalen Gerichtsbarkeit. 1932. (Grundfragen der Nationalen Politik, Leipzig, 1932, Heft 1, p. 1 - 22.)
- 5). Das Wesen des Völkerrechts und die clausula rebus sic stantibus, 1911.

Curriculum.

- 1898-1906 studied at the Universities of Berlin, Freiburg, Heidelberg, Halle, Erlangen. Principal teachers in Law: Otto von Gierke, v. Martitz, v. Liszt, Hübler, Georg Jellinek, Haenel, Loening, Stammer, Pernice. In philosophical studies: Dilthey, Windelband, Riehl, Rickert, Simmel, Paul Hensel. In social and economic studies: Schmoller, Adolf Wagner, Sering, von Schulze-Gaevernitz, Rathgen, Gothein.
- 1906 Dr. of Law at the University of Halle.
- 1906-7 studied American Constitutional Law under Professor John William Burgess (first Theodore Roosevelt Professor at the University of Berlin).
- 1908 Privatdozent of Public Law (constitutional, administrative, ecclesiastical, international Law) and of the Philosophy of Law (Rechtsphilosophie).
- 1912 Professor extraordinarius at the University of Kiel.
- 1913 Professor Ordinarius at Königsberg.
1914. Captain in the German Army.
- 1917 Professor Ordinarius at the University of ~~XXXXX~~ Berlin
- 1920 the same at the University of Bonn.
- 1921-33 Legal Advisor of the Reich Government for the negotiations with Poland at Beuthen (Upper Silesia), 1921; at Geneva, 1922; at Dresden, 1922-3; at Vienna, 1924; at Geneva, 1924; at Berlin, 1926; at Paris, 1929.- Counsel for the Reich Government, the Austrian Government, the Danzig Government at the Permanent Court for International Justice, in several big cases (forteen judgments, advisory opinions, and orders).- Counsel for the Reich Government at the Arbitral Tribunal for the Interpretation of the Dawes Plan, in three cases.- Counsel and later General Agent for the Reich Government at the German-Polish Mixed Arbitral Tribunal, in numerous cases.- Counsel at the German-Yugoslav Mixed Arbitral Tribunal.- Advocate at the Arbitral Tribunal for Upper Silesia.- Counsellor of all German minorities in Central Europe, especially in Poland.- Consultations in cases of international, constitutional, administrative Law.-
- 1927 Honorary Professor for Public Law, the Philosophy of Law, and Political Science, at the University of Berlin.
- 1934 Professor Emeritus Ordinarius at the University of Berlin.

Formerly Learned Member of the Kaiser Wilhelm Gesellschaft zur Foerderung der Wissenschaften and Advisor at the Institut fuer Auslaendisches Oeffentliches Recht und Voelkerrecht, Member of the Board of Governors and of the Council of the Deutsche Gesellschaft fuer Voelkerrecht, of the Deutsche Liga fuer Voelkerbund, and of the Juristische Gesellschaft at Berlin.

Formerly co-editor of the Oeffentlich-rechtliche Abhandlungen, of the Verwaltungsarchiv, of the Reichs- und Preussisches Verwaltungsblatt, of Niemeyers Zeitschrift fuer Internationales Recht, of the Zeitschrift fuer Auslaendisches Oeffentliches Recht and Voelkerrecht.

1928: Membre titulaire de l'Institut de Droit Public.

1931: Associé de l'Institut de Droit International.

1935: Professeur à l'Académie de Droit International at The Hague, lecturing on Les Règles generales du Droit de la Paix.

List of Publications.

- Studien zur Staatslehre des monarchischen Prinzips. (Einleitung: die historischen und philosophischen Grundlagen). Dissertation, Halle. 1906.
- Ueber den Begriff des Organismus in der Staatslehre des 19. Jahrhunderts. 1908.
- Auswaertige Gewalt und Kolonialgewalt in den Vereinigten Staaten von Amerika. Eine rechtsvergleichende Studie ueber die Grundlagen des amerikanischen und deutschen Verfassungsrechts. 1908.
- Die Juristischen Fakultaeten und das Rechtsstudium. 1910.
- Das Wesen des Voelkerrechts und die clausula rebus sic stantibus. Rechtsphilosophische Studie zum Rechts-, Staats-, und Vertragsbegriff. 1911.
- Bismarcks Erbe in der Reichsverfassung. 1917.
- Grundfragen der kuenftigen Reichsverfassung. 1919.
- Die Rechtsverhaeltnisse der an Polen abgetretenen Ostmark. 1919.
- Untersuchungsausschuss und Staatsgerichtshof. 1920.
- Kritik der neukantischen Rechtsphilosophie. 1921.
- Deutsche Hypothekenforderungen in Polen. 1922.
- Studien zur Lehre von der Staatssukzession. 1922.
- Der Ersatzanspruch fuer Schaeden durch ausserordentliche Kriegsmassnahmen. 1923.
- Studien zum Liquidationsrecht. 1925.
- Zur Problematik des Volkswillens. 1931.
- Hegels Rechtsphilosophie. Festrede zum 100 jaehrigen Todestage Hegels in der Aula der Universitaet Berlin. 1931.
- Probleme der internationalen Gerichtsbarkeit. (Vortraege des Carnegie Lehrstuhls an der Deutschen Hochschule fuer Politik.) 1932.
- Règles générales du Droit de la Paix.- Recueil des Cours de l'Académie de Droit International.

Articles.

- Kirchenrechtliche Bemerkungen ueber die Entstehung des Begriffs der Landeskirche. (Schriften des Vereins fuer Schleswig-Holsteinsche Kirchengeschichte. 1913).
- Verwaltung, Verwaltungsrecht. (Woerterbuch des Deutschen Staats- und Verwaltungsrechts. Bd.III. 1914).
- Der Verfassungsentwurf des Vereins Recht und Wirtschaft. (Recht und Wirtschaft. 1919.)
- Die reichseigene Steuerverwaltung. (Recht und Wirtschaft, 1919).
- Das polnische Liquidationsrecht in Oberschlesien. (Recht und Wirtschaft, 1922).
- Der serbisch-kroatisch-slovenische Staat, ein neuer Staat. (Niemeyers Zeitschrift fuer Internationales Recht. 1923).
- Otto Mayer. (Verwaltungsarchiv. 1925).
- Ueber die konservative Partei und ihre Geschichte. (Die Entwicklungsgeschichte der grossen politischen Parteien in Deutschland. in den Schriften der Deutschen Gesellschaft fuer Politik an der Universitaet Halle. 1922).
- Die Gleichheit vor dem Gesetz. (Veroeffentlichungen der Vereinigung Deutscher Staatsrechtslehrer. 1927).
- Die Okkupationslasten und Militaerrenten des Memelgebiets. (Zeitschrift fuer auslaendisches oeffentliches Recht und Voelkerrecht. Bd.III.).
- Die Stellung von Polizei und Gemeinde bei der Versagung der Baugenehmigung und die Grenzen ihres Ermessens. (Verwaltungsarchiv, 1932).
- Der Voelkerbund. (Krisis, ein politisches Manifest. Mit Einleitung von Reichskanzler Dr.Bruening. 1932).

CURRICULUM VITAE

wait

NAME Kaufmann, Erich

DATE OF BIRTH 1880

NATIONALITY G (~~stateless~~)

FAMILY m

FIELD Polit. Science

ACADEMIC POSTS HELD

Prof. Public Law, Berlin U.

PUBLICATIONS AND OTHER ACHIEVEMENTS

copy from attached list

LANGUAGES E, F, G

REFERENCES E. Hula
Hans Simons
Karl Loewenstein, Amherst

PRESENT ADDRESS

*S' Graevenhage, Holland
van HOORNBECKSTRAAT 83*

ADDITIONAL REMARKS

Protestant

(Difficulties in communication with Europe are responsible for any lacunae).

V. Amle

CURRICULUM VITAE.

Original Papers in files of..... (name of committee)	
(For the use of the case worker)	
Opened :	Referred to:
Closed :	
Reopened:	

1.) NAME & ADDRESS: Kaufmann Erich

2.) PERSONAL DATA:
(Date & Place of birth, religion, family status, date of arrival in USA, emigration status, etc.)
1880 , Germany, Protestant, married

3.) LANGUAGES:
(Spoken & read, whether the English is good, fair, some none)
German, French, English

4.) EXAMINATIONS & DEGREES:

5.) GRADUATE EDUCATION:
(Professors who directed advanced studies, etc.)

6.) ACADEMIC CAREER:
(Positions as instructor, Dozent, etc. Use German terms to describe German positions.)
Professor des oeffentlichen Rechtes an der Universitaet Berlin

- 7.) SPECIAL FIELDS: Political Science, Public Law, Jurisprudence
- 8.) MAJOR PUBLICATIONS:
(Give titles and references in standard bibliographical form)
- 9.) EXPERIENCE:
(Positions held since period of advanced studies, chief fields of research, experience in consulting work, etc.)
- a) Government & Business work:
Representing Germany before International Law Courts (The Hague)
- b) Research work:
- 10.) REFERENCES:
(Refer to letters of recommendation, or give the names of colleagues or others who know the applicant personally, give the relation of the applicant to the personal references)
- Rommen Heinrich, 89 Ardmore Road, West Hartford, Conn
Simons Hans
de los Rios
Loewenstein Karl, Amherst College

Curriculum

- 1898 - 1905 studied at the Universities of Berlin, Freiburg, Heidelberg, Halle, Erlangen. - Principal teachers in legal studies: Otto v. Gierke, v. Martitz, v. Liszt, Hübler, Georg Jellinek, Haenel, Loening, Stammler, Pernice; - in philosophical studies: Dilthey, Windelband, Riehl, Rickert, Paul Hensel, Simmel; - in economic studies: Schmoller, Wagner, Sering, v. Schulze-Gaewernitz, Gothein, Rathgen.
- 1906 Doctors degree at the University of Halle.
- 1906/7 Studied under Professor John William Burgess (first Roosevelt-Professor at the University of Berlin) American constitutional law.
- 1908 Privatdozent of Public (constitutional, administrative, international and ecclesiastic) Law and of the Philosophy of Law, Kiel.
- 1912 Ausserordentlicher Professor at Kiel.
- 1913 Ordentlicher Professor at the University of Königsberg.
- 1914 ss. Captain of the German Army.
- 1917 Ordentlicher Professor at the University of Berlin.
- 1920 The same at the University of Bonn.
- 1921-1933 Legal adviser of the Reich Government for the negotiations with Poland at Beuthen (Upper Silesia) 1921, Geneva 1922, Dresden 1922/3, Geneva 1924, Vienna 1924, Berlin 1926, Paris 1929. - Agent of the Reich Government, the Danzig Government, the Austrian Government at the Permanent Court of International Justice in several big affairs (14 Judgments, Advisory Opinions and Orders). - Agent of the Reich Government at the Arbitral Tribunal of Interpretation of the Dawes-Plan in 3 affairs. - Counsellor and later General Agent of the Reich Government at the German-Polish Mixed Arbitral Tribunal in many cases. - Counsellor at the German-Yugoslav Mixed Arbitral Tribunal. - Advocate at the Arbitral Tribunal for Upper Silesia. - Counsellor of all German Minorities in Middle Europe, especially in Poland. - Consultations in cases of international, constitutional and administrative law.

Curriculum, p. 2

- 1927 Honorary Professor at the University of Berlin.
1934 Emeritus Professor ordinarius at the University of Berlin.
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Formerly learned Member of the Kaiser Wilhelm Gesellschaft zur Förderung der Wissenschaften and Scientific Adviser of the Institut für Ausländisches Öffentliches Recht und Völkerrecht; - Member of the Directory and of the Council of the Deutsche Gesellschaft für Völkerrecht, - Member of the Directory of the Deutsche Liga für Völkerbund, - of the Berliner Juristische Gesellschaft.

Formerly co-editor of the Öffentlich-rechtliche Abhandlungen, of the Verwaltungsarchiv, of the Reichs- und Preussische Verwaltungsblatt, of Niemeyers Zeitschrift für Internationales Recht, of the Zeitschrift für Ausländisches Öffentliches Recht und Völkerrecht.

- 1928 Member titulaire de l'Institut international de Droit Public.
1931 Associé de l'Institut de Droit International.
1935 Professeur à l'Académie de Droit International at The Hague for 16 lessons "Les règles générales du Droit de la Paix"
-

List of Publications.

- Studien zur Staatslehre des monarchischen Prinzips (Einleitung; die historischen und philosophischen Grundlagen). Dissertation, Halle, 1906.
Ueber den Begriff des Organismus in der Staatslehre des 19. Jahrhunderts, 1908.
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Vertragsbegriff, 1911.
- Bismarcks Erbe in der Reichsverfassung, 1917.
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- Der Ersatzanspruch für Schäden durch ausserordentliche
Kriegsmassnahmen, 1923.
- Studien zum Liquidationsrecht, 1925.
- Zur Problematik des Volkswillens, 1931.
- Hegls Rechtsphilosophie, Festrede zum 100 jährigen Todestage
Hegels in der Aula der Universität Berlin (zusammen mit
E. Spranger und R. Seeberg).
- Probleme der internationalen Gerichtsbarkeit (Vorträge des
Carnegie-Lehrstuhls an der Deutschen Hochschule für
Politik), 1932.
- Règles générales du Droit de la Paix - Recueil des Cours de
l'Académie de droit international, 1936.

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- Kirchenrechtliche Bemerkungen über die Entstehung des Begriffs
der Landeskirche (Schriften d. Vereins für Schleswig-
Holsteinsche Kirchengeschichte, 1913)
- Verwaltung, Verwaltungsrecht (Wörterbuch des Deutschen
Staats- und Verwaltungsrechts, Bd. III, 1914).
- Der Verfassungsentwurf des Vereins Recht und Wirtschaft (Recht
und Wirtschaft, 1919).
- Die reichseigene Steuerverwaltung (Recht und Wirtschaft, 1919).
- Das polnische Liquidationsrecht in Oberschlesien (Recht u.
Wirtsch. 1922).
- Der serbisch-kroatische-slovenische Staat, ein neuer Staat
(Niemeyers Zeitschrift für Internationales Recht, 1923).
- Otto Mayer (Verwaltungsarchiv, 1925).
- Über die konservative Partei und ihre Geschichte (Die
Entwicklungsgeschichte der grossen politischen
Parteien in Deutschland, in den Schriften der Deutschen
Gesellschaft f. Politik Halle).
- Die Gleichheit vor dem Gesetz (Veröffentlichungen der Vereinigung
deutscher Staatsrechtslehrer, 1927).
- Die Okkupationslasten und Militärrenten des Memelgebietes
(Zeitschrift f. Ausländisches Öffentliches Recht und
Völkerrecht, Bd. III)
- Die Stellung von Polizei und Gemeinde bei der Versagung der
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archiv 1932).
- Der Völkerbund (Krisis, ein politisches Manifest, mit Einleitung
von Reichskanzler Dr. Brüning, 1932)

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- 1912 Professor extraordinarius at Kiel
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- 1933 - 1934 Legal adviser of the Reich Government for the negotiations with Poland at Beuthen (Upper Silesia) 1921, Geneva 1922, Dresden 1922/3, Geneva 1924, Vienna 1924, Berlin 1926, Paris 1929. - Agent of the Reich Government, the Dantzig Government, the Austrian Government at the Permanent Court of International Justice in several big affairs (14 judgments, advisory opinions and orders). - Agent of the Reich Government at the Arbitral Tribunal of Interpretation of the Dawes Plan. - Counsel and General Agent of the Reich Government at the German-Polish Mixed Arbitral Tribunal. Counsel at the German-Yugoslav Mixed Arbitral Tribunal and at the Arbitral Tribunal for Upper Silesia. - Counsellor of all German Minorities in Middle Europe. - Consultations in matters of constitutional, international, administrative Law.
- 1927 Honorary Professor at the University of Berlin.
- 1934 Emeritus Professor ordinarius at the University of Berlin

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- 1927 Membre titulaire de l'Institut international de Droit Public.
- 1931 Associe de l'Institut de Droit international.
- 1935 Professeur a l'Academie de Droit international.

Formerly Learned Member of the Kaiser Wilhelm Gesellschaft zur Förderung der Wissenschaften and scientific Adviser of the Institut für Ausländische Öffentliches Recht und Völkerrecht; Member of the Directory and of the Council of the Deutsche Gesellschaft für Völkerrecht; Member of the Directory of the Deutsche Liga für Völkerbund and of the Juristische Gesellschaft at Berlin.

Formerly co-editor of the Öffentlichrechtliche Abhandlungen, of the Verwaltungsarchiv, of the Reichs- und Preussische Verwaltungsblatt, of the Zeitschrift für Ausländisches Öffentliches Recht und Völkerrecht, of Niemeyers Zeitschrift für Internationales Recht.

Extract of letter addressed to Mr. Borchard by Dr. Erich Kaufmann, July 22, 1939.

Though I am sure that you know my former position in the University, the scientific and the political life of Germany, I enclose a curriculum and a list of my publications. I may mention the fact (which you remember perhaps) that I was a pupil of John William Burgess and that as a result of his teaching I published on his suggestion my book about the Insular Cases, a study of comparative constitutional law. Probably this book may not involve new lights for American scholars, but it had certainly the merit of introducing German scholars in the American problems; that is at least the opinion of Professor Triepel and of our common pupil Miss Angèle Auburtin.

I am quite aware of the fundamental difference existing between the European, especially German, and the American, and generally Anglosaxon, method of dealing with the problems of international law, and I know, therefore, that, apart from the fact that your country disposes of sufficiently well trained scholars of international law, a placement in this particular field is the most difficult of all in which to find openings.

But you will know (and you may see it from my curriculum and my publications) that international law is not

the only domain I cultivated. In no lesser degree my studies and interests concern the history of political theories in the framework of the general development of human thought, the philosophy of the state and of law in the broader sense of moral and social philosophy, comparative political science and international relations. My friends Dr. Wolfers of Yale University and Dr. von Beckerath, my former colleague of Bonn and now at Duke University, Durham, North Carolina, will certainly be prepared to confirm it.

Thus I dare hope that I could be of some utility to your country in one manner or another. I was told that some of the American universities (I believe Harvard and Chicago) have the excellent idea of creating teaching opportunities beyond the different vocational schools with a view to bridging the gaps between the faculties. As my scientific efforts are since 40 years based upon the legal, philosophical, historical, social and theological departments of our universities and as I was also engaged in a great deal of practical (judicial, diplomatic and economic) work, I should think that there must be in your great country some opportunity for utilizing my knowledge and experience to the benefit of your country.

After my dismissal in 1934 my students asked me to continue my seminars at my home. It was a real seminary with reports about legal, philosophical, historical, theological and economic problems and subsequent discussions.

These weekly meetings at my home were held from 1934 up to the famous November 1938, the date at which the whole hitherto existing social and personal life has been completely overthrown. One of the members of this scientific circle, Dr. Heinrich Rommen, is now at the St. Josephs College in Hartford; he is anxious for my coming to the United States and has appealed in my behalf to the American Committee for Christian German Refugees in New York, 165 West 46th Street. Dr. Rommen will, I am sure, be glad to tell you about the spirit which prevailed in our circle. At the end of the first term of this home-seminary his members presented to me a work about the medieval German sculpture with a latin written dedication; I enclose a copy.

Peritissimo ius publicum atque gentium perscrutanti

Verae iustitiae defensori

Insigni protectori fratrum extra patriam viventium
peregrineque oppressorum

Amico paterno

Dilecto magistro

Firmo haud minus scientiis incubantium quam rectam
honestamque vitae formam quaerentium consultori

E r i c o K a u f m a n n

Viro in iuventute instruenda maiore ceteris labore
vitam peragenti

Fervido corde gratias agentes

Hunc sincerum integrumque animae teutonicae fructum offerunt

YALE UNIVERSITY
SCHOOL OF LAW
NEW HAVEN, CONNECTICUT

EDWIN M. BORCHARD
PROFESSOR OF LAW

August 16, 1939

Dr. Alvin Johnson
New School for Social Research
66 West 12th Street
New York, New York

Dear Dr. Johnson:

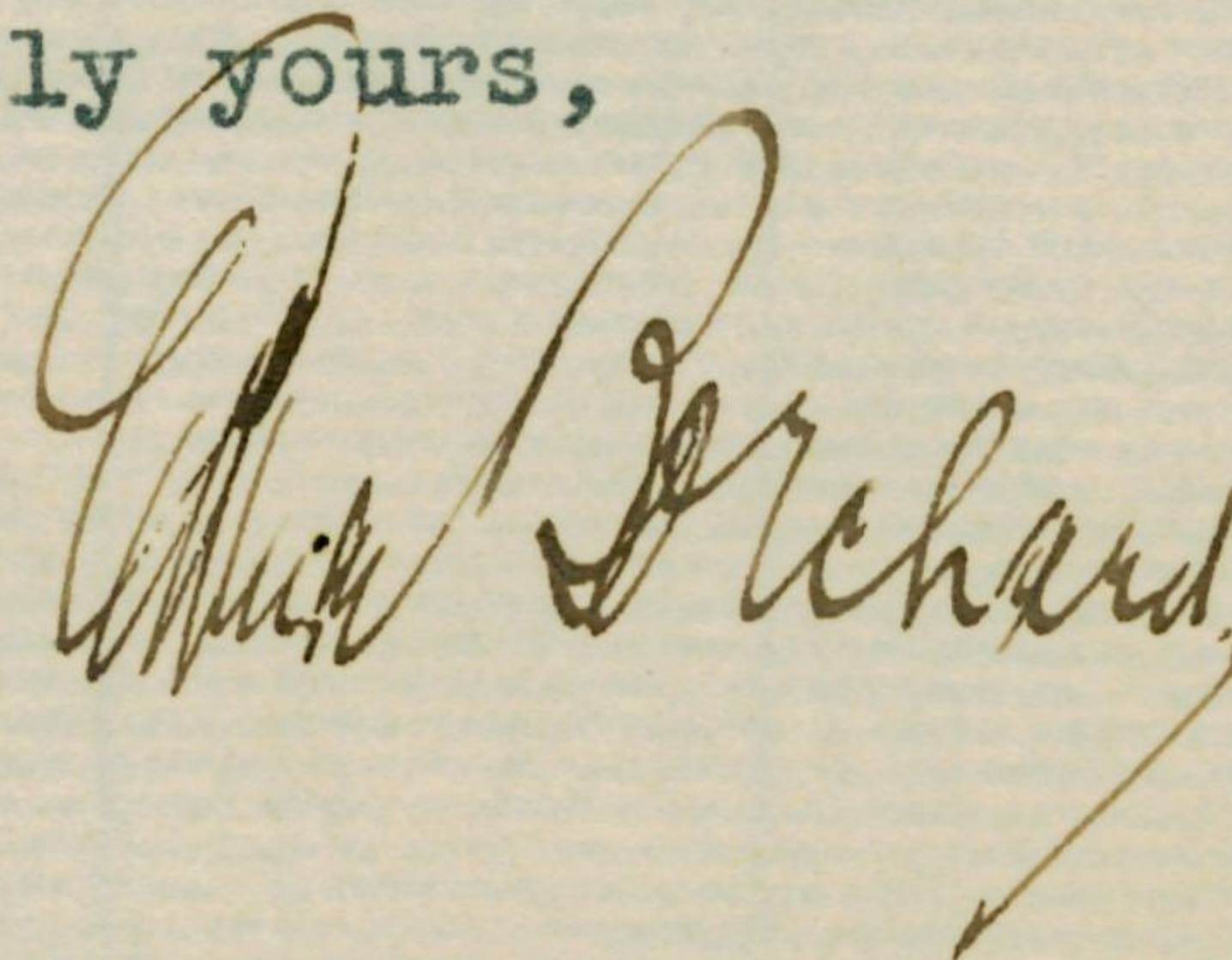
I presume that you are still overwhelmed with applications for posts in the New School and have no desire to make your burden greater than it is.

Nevertheless, I feel justified in placing before you the name of Professor Erich Kaufmann, who was pretty nearly at the top of his field of international law and constitutional law in Germany. He was not merely a fine scholar but was a man of important practical experience as counsel for the German Government in innumerable international cases. Some of your faculty will be well acquainted with his work.

I enclose to you herewith part of a letter Dr. Kaufmann has recently written to me in connection with his request for an academic connection here. I also enclose his curriculum vitae. Dr. Kaufmann is now in his middle 50's, but when I saw him two years ago was still in excellent health.

But for the fact that Kaufmann is so important a man I would not venture to trouble you even to give his name consideration.

Very sincerely yours,



Enclosures.

Notgemeinschaft
Room 1601
113 West 57th
New York, N.Y.

Dr. Alvin Johnson
Director
New School for Social Research
66 West 12th Street
New York, N.Y.

August 12, 1940

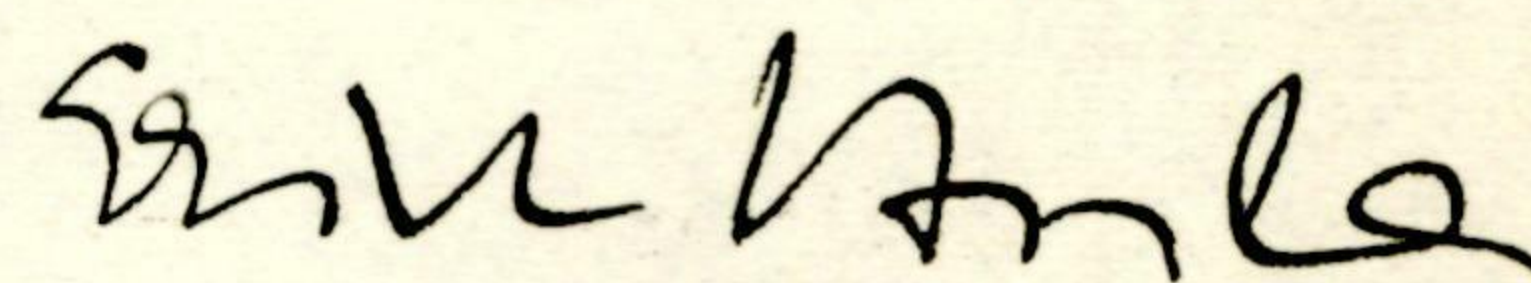
Please refer to: "A".

Dear Dr. Johnson:

I enclose herewith the curriculum of
/ Dr. Erich KAUFMANN, who is one of the most brilliant
German scholars in the field of Political Science. He
has been living the last two years as a refugee in Hol-
land (the exact address follows). Dr. Kaufmann has al-
ways held conservative views, but being true conservative
he has been at the same time most strongly opposed to
national socialism.

I am

Sincerely yours



Erich Hula

Enclosure: Curriculum

Aug 18th 1940

"A"

Dear Mrs. E. Standinger,

Dr. Hula wrote me to give you the address of Dr. Erich Kaufmann. The last letter I got from Erich K. came in January. The address was S'Gravenhage (Holland) van Hoornbeekstraat 83. (S'Gravenhage, van Hoornbeekstraat 83)

Very truly yours

West-Hartford Conn
89 Ardmore Rd

J. H. R. Ormum

August 22, 1939

Dear Professor Borchard:

I have your letter of August 16th and the extract from the letter from Erich Kaufmann.

From all I have heard, he is a grand man but I am at the end of my rope as to adding foreign scholars. It is true that the Emergency Committee and the Rockefeller Foundation will help take care of such scholars for a year or maybe two years. But for the rest of their lives they expect me to be responsible and I have all on my shoulders those poor organs will carry.

Sincerely,

Alvin Johnson

Professor Edwin M. Borchard
Yale University
School of Law
New Haven, Conn.

83 van Hoornebeek Straat,
The Hague, Holland,
June 27th., 1940.

Dear Colleague,

I have asked a young friend of mine in Cambridge, Massachusetts, to translate this letter and to transmit it to you, and I hope that in view of present world conditions you will excuse me if I address myself in this fashion to you and to the other members of the Institut de Droit International.

About my present conditions I wrote in July to Professor Edwin Borchard, who will probably be so kind as to inform you of any relevant facts. You will understand that recent events as well as events yet to be expected will make it imperative for me to look for a living outside of Europe. My wife and I are now living on the proceeds of a small collection made here among friends (a sum, which is now fast melting away) and on a very small monthly subsidy the continuation of which is now seriously in doubt. The day is dangerously near when we shall be without even the most modest means of support, and in addition other and worse happenings are to be feared.

Thus my only chance for survival appears to be some livelihood in the United States which will help me and my wife to get a non-quota-visa. It is the purpose of these lines to ask you cordially and urgently to help me, either singly or by a collective effort. Perhaps you could be so kind as to get in touch with some other members of the Institut and deliberate what could be done in my case.

Two facts encourage me in asking you for your assistance. First, the fact that the members of the Institute have always emphasised that they regard each other as a circle of friends or even a family, and thus I feel that you will understand the utmost extremity in which I find myself, and that you will give the most earnest consideration to this appeal.

Second, I feel that I shall not come with empty hands to any country or institution offering me its hospitality, but that I shall be able to make some contribution to teaching and scholarship. I am enclosing a list of publications as well as a curriculum vitae, both of which will show that I am not solely or not even preponderantly confined to the field of international law. I should like to recall to your mind, for instance, that I have worked in the fields of public law, comparative constitutional and administrative law, political science, history of political thought, philosophy, theology, history, and sociology. I have done so because I always felt it imperative that at a time of increasing specialisation the unity of the various branches of learning should not get altogether lost. Moreover, my practical experience of politics and international affairs has helped me greatly in the pursuit of my studies.

During the last few months I drafted a paper on the relations between philosophy and law and one on the constitutional history of Germany between 1870 and 1932. I am now working on a paper on the political philosophy of St. Augustine and on one about Hugo Grotius. In my present situation, however, I shall not be able to find a publisher for any of these papers.

Even though at present a voyage to the United States might not be possible, it would be of the greatest importance for my personal security if the United States consular officials here in Holland could be advised that there is a possibility of my entering the United States as a non-quota immigrant.

Very sincerely yours,

(signed) Erich Kaufmann.

COPY

AMHERST COLLEGE
Amherst, Massachusetts
Department of Political Science

August 24, 1940

Dear Professor Johnson:

On my return from a short vacation I found 2 letters from Dr. Erich Hula which informed me about the action you are undertaking on behalf of European scholars to be brought to this country in the near future. I need not say that your efforts deserve the grateful and whole-hearted approval of all who feel deeply concerned about the fate of so many valuable members of the learned profession who are now in danger of being submerged by the Nazi tide.

Following Dr. Hula's suggestion I take the liberty to recommend that the following persons mentioned in this letter be considered for inclusion in your list. I have no time to look up their activities and credentials in detail and I am writing on the basis of my memory alone.

..

..

..

4). Professor Dr. Erich Kaufmann.

Prof. Kaufmann held for many years a chair of constitutional law at the University of Berlin after having taught at Erlangen and Bonn. During the period of the German Republic he was one of the outstanding advisors of the German Foreign Office on international law and he acted repeatedly as lawyer for the German Republican Government in cases ~~xi~~ tried before the Hague Tribunal. As a publicist Dr. Kaufmann has had few equals in Germany although his publications are few. His book on the "clausula rebus sic stantibus" is considered as the leading treatise on the subject in any country. Dr. Kaufmann is a personality of vast experience both in academic life and administration, a linguist of rare gifts, a forceful personality. In his time he was considered as one of the leading constitutionalists in Germany.

..

..

I hope this preliminary list of deserving persons may be of use for your undertaking and I wish you would call on me in case you feel that my cooperation in any capacity you desire, is useful.

With the expression of warmest appreciation of your efforts,

Sincerely yours,

PROFESSOR KARL LOEWENSTEIN

September 3, 1940

Dear Dr. Loewenstein:

We are contemplating the addition of a considerable number of refugee scholars to our staff.

One of the persons we are considering is Dr. Erich Kaufmann, and it occurs to me that ~~you might be able to give us information about him and thus to facilitate eventual action.~~

May I ask you, therefore, to provide us with such data as you may have, concerning the items checked on the attached slip.

Above all, will you give us a brief but concrete appraisal of his scholarly and teaching career.

Thank you very much for any assistance you can lend.

Sincerely,

Alvin Johnson
Director

Enclosure

Dr. K. Loewenstein
Amherst College
Amherst, Massachusetts

AMHERST COLLEGE

Amherst, Massachusetts

DEPARTMENT OF POLITICAL SCIENCE

September 7, 1940.

Professor Alvin Johnson,
Director of New School for Social Research,
66 West 12th Street,
New York City

Dear Professor Johnson:

It seems that your letter of September 3rd has crossed mine of August 24th in which I submitted to you the names of a number of scholars to be included in your list. Under No. 4 I made a statement concerning Professor Erich Kaufmann. Further details concerning his life are contained in the "List of Displaced German Scholars" published in London, 1930, on page 47. As for American references I would recommend to ask Professor Edwin M. Borchard of Yale University who knows him very well, Professor John Bassett Moore, Washington, and Professor Manley O. Hudson of Harvard University.

The appraisal of his scholarly and teaching career is contained in my letter to you of August 24th.

Sincerely yours,

Karl Loewenstein

Karl Loewenstein

KL:EC

P.
Hudson opinion:

he has quite reacting;

wait until appeal
from himself

9. Sept 40

Staudinger

Notgemeinschaft
Room 1601
113 West 57th Str.
New York, N.Y.

September 14, 1940

Dr. Hans Simons
64 Ridge Road
Yonkers, N.Y.

Re: Erich Kaufmann
" A "

Lieber Dr. Simons:

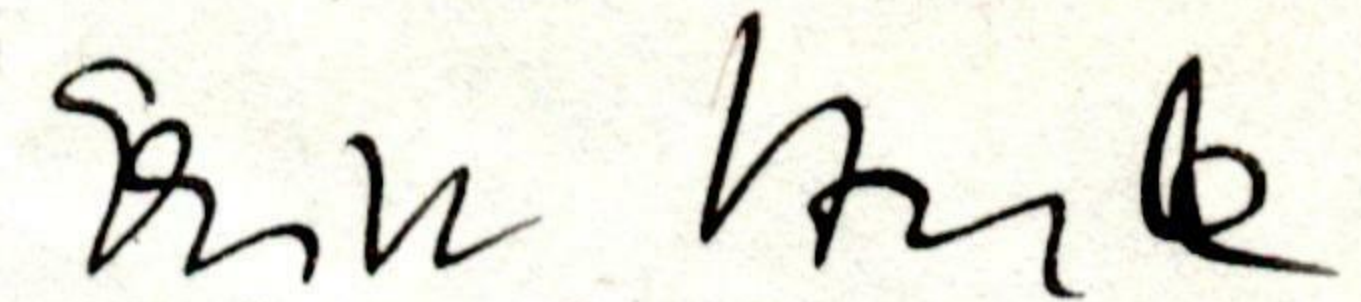
Als ich Dr. Erich Kaufmann fuer die Johnson-Aktion eingab, habe ich absichtlich gebeten, dass man auch Sie befragt. Denn ich wollte Ihnen Gelegenheit geben, eventuell Ihr Veto einzulegen. Das haben Sie auch puenktlich getan, mit dem Erfolg, dass Kaufmann's Fall ad acta gelegt worden ist.

Ich wiederhole nochmals, dass ich Kaufmann persoendlich nicht kenne und ueber sein politisches Verhalten nach 1933 nur durch meinen Bekannten Heinrich Rommen, den Verfasser einer Studie ueber Suarez, - unterrichtet bin. Besagter Rommen ist selbst von den Nazis eingesperrt gewesen und ist auch aus anderen Gruenden ganz unverdaechtig. Ich habe ihn nochmals ueber Kaufmann befragt, ehe ich ihn eingab, und er hat mir wiederum versichert, dass Kaufmann sich sehr anstaendig verhalten hat. Auch von Loewenstein ist an Johnson ein sehr guenstiges Urteil ueber ihn eingegangen, wie mir Frau Staudinger sagt.

Da Erich Kaufmann's wissenschaftliche Leistungen unbestritten sind, moechte ich absolut sicher gehen, dass ihm nicht ein Unrecht geschieht. Daher bitte ich Sie, sich die Sache nochmals durch den Kopf gehen zu lassen. Wuessten Sie irgendjemand vorzuschlagen, der aus persoendlicher Erfahrung in den Jahren 1933-40 ueber Kaufmann Bescheid zu geben vermag ?

Mit den herzlichsten Gruessen, bin ich

Ihr



Erich Hula

September 23, 1940

Dear Hula:

Thank you very much for your note of Sept. 14th. I have not vetoed the action for Dr. Erich Kaufmann, but simply given the impressions I had during the first two years of the Nazi regime in Germany. My knowledge is restricted to that period and I don't intend to say anything about the later period which Mr. Roman is in a position to judge.

As in all the other cases, the main point seems to be to get sufficient American testimonials. I think that Dean Pound must know of Kaufmann. Brecht also is in a much better position than I am to judge Kaufmann's position and to recommend Americans who know him.

I have sent a copy of this letter to Mrs. Staudinger in order to avoid any misunderstanding regarding my own position.

Very sincerely yours,

Hans Simons

Dr. Erich Hula
Notgemeinschaft
Room 1601
113 West 57th Street
New York, N. Y.

September 24, 1940

Dear Mr. Simons:

I thank you for your letter of September 23. As to Erich Kaufmann, I told Dr. Hala that we would wait until we hear of his own wish to come before we take any further steps.

Mr. Ledermann was not yet on our list. Mr. Silberner was already highly recommended to us by Professor Nissen. And as to Miss Sommer, I told you already that she was invited.

Cordially yours,

Else Staudinger

Professor Hans Simons
The New School for
Social Research

September 27, 1940

Dear Dr. Borchard:

Thank you for your letter of September twenty-sixth and the material on Professor Kaufmann.

I fear that it will not be possible to take him under our present plan because he is too much over-age.

Later I hope that something can be done for men of such distinction even though they are too old to secure college positions.

Sincerely,

Alvin Johnson
Director

AJ:EW

Dr. Edwin M. Borchard
Yale University
School of Law
New Haven, Connecticut

YALE UNIVERSITY
SCHOOL OF LAW
NEW HAVEN CONNECTICUT

EDWIN M. BORCHARD
PROFESSOR OF LAW

Sept. 26, 1940

Dr. Florin Johnson
66 West 12th St
New York.

Dear Dr. Johnson:

I have just rec'd. the enclosed letter from Prof. Eric Kaufmann. He is ~~is~~ one of the "big shots" in the field of international law, but as you will note, he is remarkably versatile and commands other fields as well.

As you will see, he is in desperate case and you would rescue from despair and possible destruction a scholar of the very first rank.

I trust that you will feel that he comes within the classification of those whom you are now trying to help.

Very sincerely yours
Edwin M. Borchard

YALE UNIVERSITY
SCHOOL OF LAW
NEW HAVEN CONNECTICUT

EDWIN M. BORCHARD
PROFESSOR OF LAW

ES To this one?
September 30, 1940

Rich Kaufmann

Professor Alvin Johnson, Director
New School for Social Research
66 West 12th Street
New York, N. Y.

Dear Dr. Johnson:

Many thanks for your note of the 27th. Professor Kaufmann is in his middle 50's. I should not have thought that that was much over-age. He is a well preserved man and has I think many good years left.

Sincerely yours,

Edwin M. Borchard

Duke University
Durham, N. C.
October 15th, 1940

Justice Felix Frankfurter
United States Supreme Court
Washington, D. C.

My dear Justice Frankfurter:

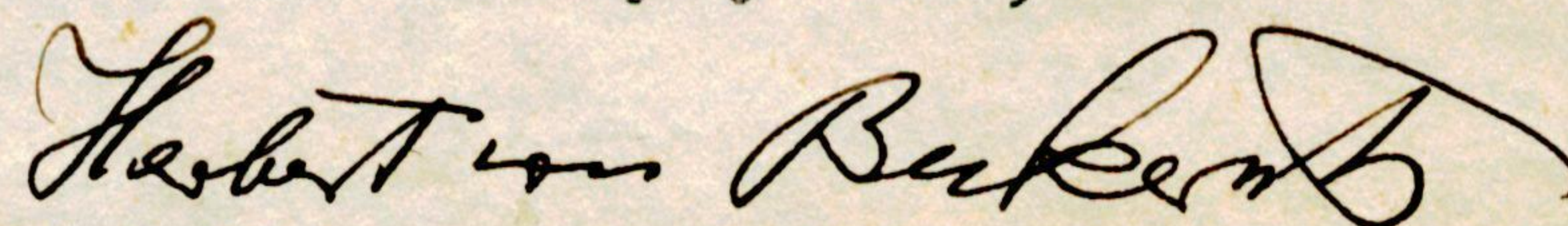
I apologize for intruding on your busy life. My reason is the tragic plight of an eminent scholar and friend. The enclosed curriculum tells you of the career of Professor Kaufmann.

I received a letter from him today which, with its manly restraint, struck me as very tragic out of the many other tragic situations of a similar kind of which I have heard. In spite of his eminent distinction in scholarship and in administrative and political work in the service of Germany, Professor Kaufmann, who is half-Jewish, has been robbed of his offices and private property in Germany,; through the aid of Dutch friends he has found temporary refuge in Holland, but neither job nor income. The small funds which have been collected for him are near the end. After a number of family catastrophes, he is reduced with his wife to the barest minimum, and is again forced to leave The Hague for some more sheltered or remote place. He has asked me to try and help him find a modest opening in an American academic institution, which would give him the possibility to secure a non-quota visum. He does not consider so much a position in international law, in spite of his standing in this field, as something in which he could combine his rich background in law, politics, history and philosophy in inter-departmental work. In addition he can offer an unusually rich experience in all fields of internal and international public life. He writes that in the last two years he has finished two manuscripts about the relationship of law and philosophy, and about the constitutional development of Germany from 1867 to 1932. At present he is working on projects about Augustine and about Grotius, and on a more ambitious one about the history of political theories. These fields as well as the philosophy of law and government are his main specialities.

Professor Kaufman mentions that he is not quite unfamiliar with America and things American. Knowing Mr. Kaufman personally very well, I feel confident that salvaging him would not only be a good deed, but the preservation and utilization of rare capacities. If you think of any way, I would be very grateful to hear from you.

With kindestt regards,

Very tsincerely yours,



Herbert von Beckerath

October 18, 1940

My dear Professor von Beckerath:

No doubt every tragedy is unique but the glimpse that your letter of the 15th gives into the plight of Professor Kaufmann is only one more pull at my heartstrings out of hundreds that have come my way since Hitler came to power. I do not have to tell you the difficulties of men in the situation of Professor Kaufmann, but I am sending your letter with its enclosure on to Dr. Johnson, who is the most resourceful salvager of the exiled life of the spirit that I know.

I hope something may come to alleviate the poignant fate of Professor Kaufmann.

Very sincerely yours,

Prof. Herbert von Beckerath

My dear Mr. Heimann
Wir amerikan. Empfehlung
kommen
5. Oktober 40
Jude Station
Durham Ct.
Ich geschte Herr Heimann.

OCT 18 1940
Gestern erhielt ich den
beiliegenden Brief von Erich
Kaufmann nebst Anlagen.

Ich habe sofort an Juggan,
Juris Frankfurt Professor
Calogrove (Del. Dept. of the Veterans)
Dean of the Council (Texas 200)

Gedruckten und wünsche hier
alles was ich kann. Vielleicht
~~Aber~~ Sei eine Möglichkeit
in Zusammenhang mit dem
Projekt, das Sei gelegentlich
Ihre Bemerkungen für Bürger
erwähnen

Dem Brief wolle ich
gelegentlich zurück

fu sehr ergebnis
Herr Beckert

October 21, 1940

Dear Dr. von Beckerath:

Feléx Frankfurter has sent me your letter of October fifteenth with a copy of his reply.

I have been interested in the case of Dr. Kaufmann but, unfortunately, he falls outside of the age group set under our plan.

Since we can take care of scholars only temporarily we must look to their later absorption by American universities, and this is out of the question for men in their sixties. Our practical age limit is 55.

Sincerely,

Alvin Johnson
Director

AJ:EW

Professor Herbert von Beckerath
Duke University
Durham, North Carolina

October 29, 1940

Dear Mr. Heimann:

Thank you for the letter of Robert Moseé and the letter and material on Erich Kaufmann.

Before Dr. Johnson submitted Moseé's application, the Foundation had decided against him. We do not know where the Rockefeller's got their information. I shall try, however, to have Dr. Johnson reconsider his case on the basis of the letter which you sent us.

As to Erich Kaufmann; Dr. Johnson received von Beckerath's letter some days ago. You know that Kaufmann's case is somewhat problematic, and in any case Kaufmann is not eligible because of his age.

Sincerely,

Else Staudinger

ES:EW

Dr. Eduard Heimann
The New School

Reply filed Mossé -

Oct. 29, 1940

in re Erich Kaufmann

write in Hudson, Har

Edw. M. Borchard, Yale

I am writing to call to your attention the tragic plight of an eminent scholar and friend, Professor Kaufmann.

I received a letter from him today which, with its manly restraint, struck me as very tragic out of the many other tragic situations of a similar kind of which I have heard. In spite of eminent distinction in scholarship and in administrative and political work in the service of Germany, Professor Kaufman, who is half-Jewish, has been robbed of his offices and private property in Germany. Through the aid of Dutch friends, he has found temporary refuge in Holland, but neither job nor income. The small funds which have been collected for him are near and end. After a number of family catastrophes, he is reduced with his wife to the barest minimum, and is again forced to leave The Hague for some more sheltered or remote place. He has asked me to try and help him find a modest opening in an American academic institution, which would make it possible for him to secure a non quota visum. He does not think so much of a position in international law, in spite of his standing in the field, as of something in which he could combine his rich experience in all fields of internal and international public life. He writes that in the last two years he has finished two manuscripts on the relationship of law and philosophy, and on the constitutional development of Germany from 1867 to 1932. At present he is working on projects concerning Augustine and Grotius, and on a more ambitious one about the history of political theories. These fields as well as the philosophy of law and government are his main specialities.

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With kindest regards,

Very sincerely yours,

Herbert von Beckerath