Understanding, Reconciliation, and Prevention – Rethinking Hannah Arendt’s Representation of the Holocaust

by

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Abstract

In an effort to identify and assess the practical effects and ethical implications of representations of the Holocaust, this dissertation is a rethinking and evaluation of Hannah Arendt’s representation of the Holocaust according to the goal that she herself set out to achieve in thinking and writing about the Holocaust, understanding, or, “the unmediated, attentive facing up to, and resisting of, reality—whatever it may be.”¹ By examining Arendt’s confrontation with the Holocaust from within the context of systemic evil (which is how I argue she approached the Holocaust), and in light of her ultimate aim to “be at home in the world,” I conclude that understanding entails both reconciling human beings to the world after the unprecedented evil of the Holocaust, as well as working towards its prevention in the future. Following my introductory chapter, where I argue that Arendt provided an overall representation of the Holocaust, and delimit the criteria of reconciliation and prevention, each subsequent chapter is dedicated to an aspect I identify as central to her representation of the Holocaust: Her claim that totalitarianism was unprecedented; that the evil exemplified by Adolf Eichmann was “banal;” and that the Jewish Councils “cooperated” with the Nazis in the destruction of their communities. Each of these chapters presents this aspect of Arendt’s representation,

¹ OT, viii.
considers it in light of its responses, criticisms, and limitations, and asks whether it fulfills the criteria of reconciliation and prevention. In my concluding chapter, I consider where Arendt’s overall representation leaves us in light of these criteria, and the framework I have proposed.
Acknowledgments

This dissertation is the result of many years work that would not have been possible without the support of many individuals and institutions. First and foremost, it was my great fortune to work with a committee that both encouraged and challenged me at every stage.

In many ways, this dissertation was inspired by a class taught by my supervisor, David Novak, entitled Philosophical Responses to the Holocaust, which I audited early in my degree, as well as a reading course on this topic. Since then, Dr. Novak has always been available and forthcoming with comments on and discussions about my work. I have benefited greatly from considering many aspects of Arendt’s thought in light of his particular concerns and perspective.

Throughout my degree, Doris Bergen has been a continuous source of inspiration and support, and has ensured that the theoretical aspects of my dissertation have remained grounded in the historical reality of the Holocaust. Throughout the years, she has also connected me with several other students, scholars, and institutions that have had a profound effect on my thinking and on the final form of this dissertation. Her teaching and the conversations we have shared have shaped not only this project, but also my professional development immensely.

Ronald Beiner’s expertise on Arendt’s thought greatly impacted the final shape and form of my dissertation. Throughout its development, he offered important challenges to my interpretations of Arendt, all of which contributed to its refinement and improvement, and have made it something I am truly proud of.
I also offer my deepest thanks to Steven Katz, my external examiner, and Rebecca Wittmann, my internal examiner, both of whom asked excellent questions and helped me think about my project in new ways.

Throughout my degree, I have benefited greatly from interactions with the staff, faculty, and students at both the Centre for the Study for Religion and the Centre for Jewish Studies. The interactive and interdisciplinary nature of these departments offered the ideal climate for the development of a project such as this one, and also allowed me several opportunities to share my ideas and work at graduate student conferences and colloquiums. Special thanks goes to the Centre for Jewish Studies, which funded my research at many crucial points, and to our Graduate Administrator, Fereshteh Hashemi, without whom I would never have been able to navigate successfully through this degree.

My participation in several seminars and research trips, particularly the Curt C. and Else Silberman Seminar (United States Holocaust Memorial Museum), the Summer Institute on the Holocaust and Jewish Civilization (Holocaust Educational Foundation), the Auschwitz Jewish Centre Fellows Program (Auschwitz Jewish Center, NY Museum of Jewish Heritage), and the Genocide and Human Rights University Program (Zoryan Institute), allowed me to place my thinking and work within a wider conversation and to consider it in light of various issues and perspectives.

This dissertation has also been influenced and made possible by my mentors, friends, and family members.

I have dedicated this dissertation to my colleague, teacher, mentor, and friend, Magi Abdul-Masih. From the time I sat in her classes as a shy and quiet undergraduate student, I have been able to depend on Magi for guidance, support, encouragement,
thoughtful critique of my work, and insightful conversation. Without her support and friendship, I would not be the scholar or the person I am today.

While developing this dissertation, I had the good fortune of working as a teaching assistant for Dorota Glowacka in her classes on Holocaust representation at King’s College in Halifax, NS. This position not only allowed me to develop my thinking and teaching in many important ways, but also provided me with the chance to discuss many of my ideas with Dorota, whose teaching and thinking have an element of honesty that I strive to emulate in my own work.

In my years at King’s College, I also served as a teaching assistant to Daniel Brandes, in his class on Hannah Arendt. This position came at a pivotal time in the development of my dissertation, and allowed me to consider key moments in Arendt’s thinking in light of her entire body of work. Daniel was also gracious enough to allow me to read and cite his doctoral dissertation on Arendt in this work, and to make himself available to me for many enlightening conversations. The many ways in which our thinking on Arendt converge and diverge has inspired me, as has his style of teaching and relating to Arendt, which is simultaneously critical and admiring.

When venturing outside of academia, studying a topic such as the Holocaust has the potential to be isolating. Thanks to my closest friends, however, this has never been my experience. In fact, many aspects of my thinking have been shaped by the conversations I have shared with my closest friends, who have always shown an immense amount of curiosity and interest in my work, and who have asked some of the most intriguing questions. For the many (many) evenings spent in conversation I offer my warmest thanks to Jody MacDonald, Allison Wood, Amy Spurway and Annie Goodyer.
Special thanks also need to be offered to my husband, Brian Jones, whose support has made the completion of this project possible. From the very beginning, when my degree placed us in different provinces, until this year, when we welcomed our first son, he has allowed me the space required to commit myself to my work, despite the sacrifices it entailed.

Finally, for this project, for my entire academic career, and for much more, I thank my parents, Alan and Debbie Macumber. Their unwavering confidence in me has helped me to see myself through their eyes, and allowed me to persevere throughout these long and sometimes difficult years of study.
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Chapter One

Holocaust Representation, Hannah Arendt, and Systemic Evil

My concern to analyze and evaluate Arendt’s representation of the Holocaust in this way was inspired by recent developments in the field of Holocaust representation, which is becoming ever more aware of the practical and ethical implications of how the Holocaust is represented. In this introductory chapter, I will give a brief overview of some of the developments in this field that demonstrate this recent concern; present my claim that Arendt did in fact, throughout her lifetime, provide an overall representation of the Holocaust, which she understood as a form of systemic evil; further delimit the criteria of reconciliation and prevention according to which I will evaluate this representation; explain the structure of my subsequent chapters; and, finally, consider the scope, limitations, potential conflicts, and contributions of my project.

Representing the Holocaust

The field of Holocaust representation has several characteristics that distinguish it from most, or all, other academic fields. One of these characteristics is its multidisciplinary nature. Although other fields also bring together sources and methodologies from across various disciplines, Holocaust representation is perhaps the only field whose foundational texts come to us from across various genres (including literature, testimony, and documentary), and from across virtually all disciplines (including history, philosophy, and sociology), and which continues to be shaped and determined by the dialogue between these multidisciplinary texts. This field is also characterized by a number of unique challenges, important debates, and shifts, some of
which I will summarize in this chapter. Perhaps most importantly, for the purpose of this dissertation, the history of this field reflects the degree to which it is becoming ever more self-critical and aware of its connection and responsibility, not only to the past, but also to the present and future, in consideration of its ethical implications and practical effects.

The connection between the representation of the Holocaust and ethics was initially considered in light of the responsibility that the representer has to accurately represent the Holocaust. In attempting to fulfill this responsibility, scholars face challenges that have been, in many ways, unprecedented. The unprecedented nature of these challenges is very much a reflection of the unprecedented nature of the Holocaust itself. In his important collection of essays on Holocaust representation, Probing the Limits of Representation: Nazism and the Final Solution, Saul Friedländer identifies the Holocaust as an “event at the limits” that “tests our traditional conceptual and representational categories.” Thus, the question arises: how do we accurately and responsibly represent an event(s) that has confounded all of our traditional methods of representation and analysis?

In responding to this challenge, some have concluded that the Holocaust is unique and beyond our comprehension; others have continued to use traditional conceptual

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2 For a summary of these controversies, including that caused by Arendt’s report of Eichmann’s trial in her Eichmann in Jerusalem: A report on the Banality of Evil (New York: Penguin Books, 2004), and Daniel Goldhagen’s Hitler’s Willing Executioners: Ordinary German’s and the Holocaust (New York: Vintage Books, 1997), as well the historians’ controversy, see Doris Bergen’s “Controversies About the Holocaust: Goldhagen, Arendt, and the Historians’ Controversy,” as well as other essays in Historikerkontroversen, edited by Hartmut Lehmann (Göttingen: Wallstein, 2001).

3 Saul Friedländer, ed, Probing the Limits of Representation: Nazism and the Final Solution (Cambridge: Harvard University Press, 1992), 2-3

4 In general, as the field progresses, this perspective is becoming less prominent. When it does persist, it is often includes both a recognition of the inexplicability of the
categories, although in an extremely self-critical and self-aware way; still others have abandoned or reformulated traditional categories and frameworks, and represented the Holocaust in light of new and revolutionary understandings of human beings, (sometimes) God, and the world.

The responsibility of the representer towards the past, and the challenge that this past, in the case of the Holocaust, poses, is confounded if we take into consideration not only the distinct and unprecedented nature of the Holocaust, but also the degree to which the representer themselves affects that which they represent. This challenge is made explicit in historian Dominick LaCapra’s seminal study, *Representing the Holocaust*:

Holocaust (or of certain aspects of the Holocaust—such as the victim’s suffering), coupled with a tangible representation of the Holocaust. In his *Rethinking the Holocaust*, Yehuda Bauer describes how Elie Wiesel exemplifies this contradictory stance: “On the one hand, he says there are aspects of the Holocaust, mainly the suffering of the victims and the brutality of the perpetrators, that can never be fully grasped or understood, and that therefore the Holocaust is ultimately inexplicable. On the other hand, he does everything in his power to transmit those experiences and make people understand them.” (New Haven: Yale University Press, 2001), 15.

A revealing example of this is found in the poems of Paul Célan. Célan’s postwar poems, which describe and reflect on his experience throughout the Holocaust, are written in his native tongue, German. However, Célan’s use of German is conflicted, as he believes that it has been contaminated and corrupted by its use and implication in the Holocaust. For this reason, he claims that the language must “pass through its own answerlessness, pass through frightful muting, pass through the thousand darknesses of deathbringing speech” in order for this complicity to be acknowledged and for the language itself to persist. Therefore, although Célan continues to use German as his tool in representing the Holocaust in his poetry (including such well-known and important poems as “Death Fugue” and “Sibboleth”) he is very critical and aware of his use of the language, and of its role in and after the Holocaust. Paul Célan, “Speech on the Occasion of Receiving the Literature Prize of the Free Hanseatic City of Bremen,” in *Selected Poems and Prose of Paul Célan*, translated by John Felstiner (New York: W.W. Norton, 2001), 395. For an excellent summary of this aspect of Célan’s writing, and how it is revealed in his various poems, see Dorota Glowacka, *Disappearing Traces: Holocaust Testimonials, Ethics, and Aesthetics* (University of Washington Press, 2012), 72-5.

History, Theory, Trauma. Here, LaCapra argues that the Holocaust is a “limit case” that tests our conventional methods of representation because it presents us with trauma to an unprecedented degree (in this, his argument echoes Friedländer’s). For this reason, the “subject-position” of the “analyst” has a direct effect on their representation of the Holocaust, so that,

[W]hether the historian or analyst is a survivor, a relative of a survivors, a former Nazi, a former collaborator, a relative of former Nazis or collaborators, a younger German or Jew distanced from more immediate contact with survival, participation, or collaboration, or a relative “outsider” to these problems will make a difference even in the meaning of statements that may be formally identical.⁷

LaCapra makes clear that the connection between Holocaust representation and ethics extends beyond the responsibility to accurately represent the past, and also includes a consideration of the present, and the effect that the identity and history of the “analyst” (or representer: historian, artist, theologian, etc), has on their representation of the Holocaust.⁸

Today, despite, or perhaps because of these challenges and their ethical implications, representations of the Holocaust abound. In fact, taking into consideration not only the representations of the Holocaust that come to us from survivor testimony and from Holocaust Studies, the ever increasing amount of aesthetic representations,

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⁸ For an analysis of how this challenge extends also to the national and cultural level see Clifton Spargo and Robert M. Ehrenreich, eds., After Representation?: The Holocaust, Literature, and Culture (New Brunswick: Rutgers University Press, 2010); and Peter Novick, The Holocaust in American Life (Boston: Houghton Mifflin, 1999).
(including Holocaust memorials,\(^9\) Holocaust literature and fiction,\(^10\) and artistic representations,)\(^11\) and also popular culture representations, (including films, and graphic novels),\(^12\) some argue that we have reached a point of “saturation” with representations of the Holocaust.\(^13\)

This new vantage points presents us with new and unprecedented challenges in our concern to accurately and ethically represent the Holocaust. These challenges are reflected in the vehement critiques of Hollywood films that represent (or misrepresent) the Holocaust,\(^14\) the concern, or fear, that the Holocaust is being commercialized or commodified,\(^15\) the “competitive” approach to national representations of the Holocaust.

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\(^9\) For a thorough analysis of the Holocaust memorials in Germany, Poland, Israel, and America, see James E. Young, \textit{The Texture of Memory: Holocaust Memorials and Meaning} (New Haven: Yale University Press, 1993).


\(^11\) In her \textit{Disappearing Traces: Holocaust Testimonials}, Glowacka discusses the degree to which artistic representations of the Holocaust, once considered inferior in the field of Holocaust representation, have been elevated and even privileged in past decades. Thus, she argues, “The elevation, and even privileging, of imaginative representations as forms of engagement with the past allows us to interpret them as memory sites in their own right. They can even be considered unique because of their capacity to convey the mnesic trace of that which falls outside traditional techniques of preserving the past.” 2-3.

\(^12\) For example, the recent film directed by George Clooney, \textit{The Monuments Men}, Columbia Pictures, 2014; and the graphic novel \textit{L’Enfant Cachée}, (recently translated into English as \textit{Hidden}), by Loic Dauvillier, Greg Salsedo and Marc Lizano (Belgium: Le Lombard, 2012).


\(^15\) This concern is addressed at many points in Art Spiegelman’s graphic novels, including a scene in which he depicts himself working on his second graphic novel (\textit{Maus II: And Here my Troubles Began}) while contemplating the success of his first graphic novel, (\textit{Maus I: My Father Bleeds History}), all the while having a pile of corpses at his
at historical sites, such as the former concentration camp Auschwitz,\textsuperscript{16} and the acknowledgment of the role of gender in the experience and the representation of the Holocaust.\textsuperscript{17} The proliferation of representations of the Holocaust has also revealed a new connection between representations of the Holocaust and ethics, in that we have begun to ask not only whether these representations are historically accurate, or how they are affected by the “subject-position” of their representer, but also what practical effects they have in the world.

These practical effects are, of course, not always easily identifiable. In the most extreme cases, scholars argue that the Holocaust is deliberately represented in a certain way, or even misrepresented, in order to promote political or ideological ends.\textsuperscript{18} Others

\textsuperscript{16} In The Crosses of Auschwitz: Nationalism and Religion in Post-Communist Poland (University of Chicago Press, 2006), Geneviève Zubrzycki describes how, in 1998, Polish Catholics erected crosses outside of Auschwitz, which sparked a fierce debate between Polish Catholics and Jews regarding the proper representation of Polish and Jewish victims at the camp. In his Multidirectional Memory: Remembering the Holocaust in the Age of Decolonization (Stanford: Stanford University Press, 2006), Rothberg argues that our own perception of these representations as competing is based on a flawed understanding of memory as a limited resource, which comes to us largely as a result of the legacy of colonialism. His own understanding of memory as multidirectional allows not only for the coexistence of these competing narratives, but also for their dialogue in our effort to better represent and understand the Holocaust, 12-16.

\textsuperscript{17} For some important contributions here see Myrna Goldenberg and Amy H. Shapiro, eds., Different Horrors, Same Hell: Gender and the Holocaust, (Seattle: University of Washington Press, 2013); Carol Rittner and John K. Roth, eds., Different Voices: Women and the Holocaust (St. Paul: Paragon House, 1993).

\textsuperscript{18} For example, in The Holocaust Industry: Reflections on the Exploitation of Jewish Suffering (London: Verso, 2003), Norman Finkelstein argues that the Holocaust has become a political tool to justify the uncritical expansion of the State of Israel at the expense of the Palestinian population.
argue that the commemoration of the Holocaust serves as a “screen memory,” deflecting attention away from other, usually more “local,” or even ongoing cases of injustice or genocide.\textsuperscript{19} There is an increasing awareness of the ways in which the representation of the Holocaust affects identity formation, on both an individual and communal level.\textsuperscript{20} In the field of Holocaust and genocide studies, there is a growing acknowledgement of the way in which representations of the Holocaust affect the way we understand and respond to other genocides.\textsuperscript{21} At the very least, an acknowledgement of the degree to which the way we represent the Holocaust affects not only the way that we understand ourselves, the world, and each other, but also the way that we act in the world, is increasing.

This dissertation is inspired by this acknowledgement, and by my contention that representations of the Holocaust have an ethical responsibility, not only to the past, but also to the present and the future. For this reason, although historical accountability is certainly an important consideration in analyzing and evaluating these representations, I believe that the ethical implications of representations of the Holocaust are also to be


\textsuperscript{21} This is reflected in studies such as Alan S. Rosenbaum, ed., \textit{Is the Holocaust Unique: Perspectives on Comparative Genocide} (Boulder: Perseus Books Group, 2009), journals such as the United States Holocaust Memorial Museum’s \textit{Holocaust and Genocide Studies}, the many Holocaust and Genocide Studies programs at universities (such as Keane State University), and Institutes (such as the Montreal Institute of Genocide and Human Rights Studies), in North America and worldwide, all of which consider the Holocaust in light of a comparative perspective with other cases of mass killing and genocide.
taken into consideration. My dissertation provides a framework for identifying and analyzing these implications, a framework inspired by and applied to what is perhaps the most controversial representation of the Holocaust ever proposed, that found in the writings of German-American political theorist Hannah Arendt.22

Hannah Arendt, the Holocaust, and Systemic Evil

Before analyzing and evaluating Arendt’s representation of the Holocaust in this way, it is necessary to first establish that Arendt did, in fact, provide an overall representation of the Holocaust in her writings over her lifetime. In order to do so, I argue that Arendt understood the Holocaust as a form of systemic evil, and that it is possible to interpret all of her writings in light of her continued engagement with it as such. In making this argument, it is not my intention to claim that Arendt presents a seamless or systematic approach, (something she explicitly claimed she did not do),23 or to deny the distinctions and potential contradictions that appear throughout her works, but only to make explicit an important connection and continuity that I see throughout her writings as a whole.

22 Because Arendt’s thinking and writings transgress many disciplinary and methodological boundaries it is difficult or impossible to classify her definitively. However, in her 1964 interview with Günther Gaus she explicitly rejected the label of philosopher, claiming “I do not belong to the circle of philosophers… I neither feel like a philosopher, nor do I believe that I have been accepted in the circle of philosophers” Instead, she claims, “My profession, if one can even speak of it at all, is political theory.” “‘What Remains? The Language Remains’: A Conversation with Günter Gaus,” in Essays in Understanding 1930-1954: Formation, Exile and Totalitarianism, edited by Jerome Kohn (New York: Schocken Books, 1994), 1.

In its most basic form, systemic evil is evil or injustice that is promoted by a system, whether it is a state, a religion, an institution, a university, etc. When this occurs, two things happen. First, as acts of injustice (social, economic, etc), become systematized, they become normalized, legalized (in the cases of state sponsored systemic evil), and an increasingly acceptable part of everyday life and society. Once this occurs, ordinary people, ordinary because they do not necessarily identify or sympathize with the policies or goals of the system, become implicated in these policies and goals for a variety of reasons. These can include, but are not limited to, conformity, self-preservation, the desire to provide for one’s family, and later- after the fact of initial complicity- rationalization or justification of actions, or inaction.

This understanding of systemic evil is similar to social psychologist James Waller’s identification and analysis of “extraordinary evil.” For Waller, this is “the deliberate harm inflicted against a defenseless and helpless group targeted by political, social, or religious authority- human evil in extremis.” In his analysis of extraordinary evil, Waller examines how social, psychological, and cultural factors implicate “ordinary” people in this kind of evil. However, as my own description of systemic evil indicates, and as I believe Arendt also demonstrates, systemic evil complicates the issue of intent in that it implicates various people for a variety of reasons, not all of which are connected with base motives or the intent to deliberately inflict harm on others.

25 Ibid., 138.
26 The argument that “ordinary” people were implicated in systemic evil of the Nazi regime is not an uncommon one in Holocaust Studies. Some important contributions in this area are Christopher Browning’s *Ordinary Men: Reserve Battalion 101 and the Final Solution in Poland* (New York: Harper Perennial, 1998), which examines the role
My argument that all of Arendt’s writings can be understood as reflecting her continued engagement with systemic evil initially occurred to me very organically. Although I was first introduced to Arendt in and through her writings that explicitly engage the Holocaust, particularly *The Origins of Totalitarianism* (hereafter *OT*) and *Eichmann in Jerusalem: A Report on the Banality of Evil* (hereafter *EI*), reading her other works, whether they were written before, in between, and after these two, I was struck by the continuity of her thinking, sometimes evolving, but, at least after 1933, always connected to her experience and encounter with systemic evil.

I see this engagement as beginning with Arendt’s acknowledgement of the Jewish question and her own Jewish identity as a political issue, which occurred in response to systemic persecution of Jews in Germany after 1933. It continued in and through her analysis of totalitarianism in *OT*, where she analyzes the “elements” that “crystallized” into totalitarianism. Her 1958 *The Human Condition* (hereafter *HC*), describes the conditions that allow for the possibility of politics, conditions—such as of Police Battalion 101, a group of middle-aged working class men who were enlisted into the Order Police, and became intimately involved in the shooting deaths of at least 38,000 Jewish men, women, and children. In her *A Small Town Near Auschwitz: Ordinary Nazis and the Holocaust* (Oxford University Press, 2012), Mary Fulbrook examines the role of the *Landrat* (principal civilian administrator or chief executive of the county), of a town called Bedzin, 25 miles from Auschwitz. Although Fulbrook indicates that this *Landrat* was committed to Nazi racial ideology, when he was faced with the horrific consequences of Nazi policies, he experienced ambivalence and unease. Fulbrook therefore argues that within the Nazi system, wherein “people have been mobilized to behave in certain ways and within certain roles…whatever their inner attitudes and values at the time,” behavior was constrained not by their inner convictions, but instead by the system itself, vi. In general, the trend in Holocaust Studies to examine the processes whereby “ordinary” people were gradually implicated in the policies of the Nazi regime has continued for the past few decades, and is apparent in studies such as Waller’s, Browning’s, Fulbrook’s, as well as Doris Bergen’s *War and Genocide: A Concise History of the Holocaust, 2nd* ed (Plymouth: Rowman & Littlefield Publishers, Inc., 2009); and Wendy Lower’s *Hitler’s Furies* (New York: Houghton Mifflin Harcourt Publishing Company, 2013).
plurality— that were systematically destroyed by the totalitarian regimes. In 1961, with her report on Eichmann’s trial in Jerusalem, Arendt returned to an analysis of the systems of totalitarianism, however, her focus shifted to explaining how a particular perpetrator, Adolf Eichmann, became implicated in the policies and goals of the Nazi regime.

Arendt’s identification of Eichmann’s “thoughtlessness” as essential in the answer to this question is what prompted her to write the book that remained incomplete at the time of her death, *The Life of the Mind* (hereafter *LM*).27 Here, Arendt continues to think through the connection between thinking and evil-doing, and begins to offer us her theory of judging (this third section of *LM* was incomplete— in fact, not even started, other than an epigraph, at the time of her death in 1975), wherein we see the culmination of her engagement with systematic evil, her insistence that we are all capable of judging anew in every circumstance, without relying on frameworks, institutions, conventions, or, in effects, systems, to guide us.

**Hannah Arendt’s and Systemic Evil: Experience and Confrontation**

Hannah Arendt was born in 1906, in what is now Hanover, Germany, to Paul and Martha Arendt. She grew up in Königsberg, in an assimilated Jewish family, without any

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27 Arendt explicitly states this in the introduction to *The Life of the Mind* (New York: Harcourt, Inc., 1975), where she explains that it was her encounter with Eichmann’s “thoughtlessness” that “awakened my interest. Is evil-doing (the sins of omission as well as the sins of commission) possible in default of not just “base motives” (as the law calls them) but of any motives whatever, of any particular prompting of interest or volition? Is wickedness, however we define it, this being “determined to prove a villain,” not a necessary condition for evil-doing? Might the problem of good and evil, our faculty of telling right from wrong, be connected with our faculty of thought?” 4-5.
awareness of her Jewish heritage and identity. Rather than Jewish religious and cultural resources, it was German philosophy and literature that shaped Arendt’s childhood and her early education. By the age of fourteen, she was reading the likes of Goethe and Kant, and writing her own poetry. Her relationship with her Jewish identity, and her self-identification as a Jew, was therefore not the result of her upbringing or education, but, instead, emerged as a defensive response to persecution.

In her 1965 interview with Günter Gaus, Arendt explains how her first encounter with the word “Jew,” and her initial realization that she herself was a Jew, occurred as a result of antisemitic remarks from children she encountered at school. This is what “enlightened” her about her Jewish identity, and also shaped her initial relationship to that identify as a defensive one. When she told her mother about these experiences, her mother insisted that she defend herself against them, and also that she do so “as a Jew.”

When my teachers made anti-Semitic remarks-mostly not about me but about other Jewish girls, eastern Jewish students in particular, I was told to get up immediately, leave the classroom, come home, report everything exactly. Then my mother wrote one of her many registered letters; and for me the matter was completely settled. I had a day off from school, and that was marvelous! But when it came from children, I was not permitted to tell about it at home. That

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29 Ibid., 32-41.
30 In this dissertation, I will be using this spelling of “antisemitism,” for reasons summarized by Doris Bergen in War and Genocide, “The term “antisemitism” was coined in the 1870’s by a German journalist who wanted to contrast his supposedly scientific hatred of Jews with religious forms of anti-Judaism. As a label, “antisemitism” is misleading, because it describes a group of related languages, among the, Hebrew, Aramaic, and Phoenician, and the people who speak them. Often you will see the word written with a hyphen- “anti-Semitism”- a spelling I avoid in this book. Use of the hyphen implies that there was such a thing as “Semitism,” which antisemites opposed. In fact, no one who used the term in the nineteenth century (or since) ever meant it to mean anything but hatred of Jews,” 4. In cases where Arendt, her commentators, and other scholars have used different spellings, I leave their citations as they appear in their original works.
didn't count. You defended yourself against what came from children. Thus these matters never were a problem for me. There were rules of conduct by which I retained my dignity, so to speak, and I was protected, absolutely protected, at home.\textsuperscript{31}

Although Arendt would later maintain that Jewishness was one of the “indisputable facts of my life,”\textsuperscript{32} it was not until 1933, the year that marked Arendt’s “turn to the political,”\textsuperscript{33} that this “indisputable fact” took on any political significance for her. This shift occurred as a result of both an event and a relationship. The event was the Reichstag fire in 1933, after which, Arendt explained, she “felt responsible.”\textsuperscript{34} The relationship was with Kurt Blumenfeld, a prominent Zionist who provided Arendt with a context through which to experience and express her Jewish identify as a political issue, and to continue to defend herself “as a Jew.”\textsuperscript{35} After 1933, we therefore begin to see Arendt’s engagement with the Holocaust as a form of systemic evil in and through her engagement with the Jewish question as a political issue.

Arendt’s engagement with the Jewish question as a political issue occurred first and foremost in and through her work with Zionist organizations. Because she worked with these organizations, but never officially belonged to them or identified herself fully with them, this allowed her greater opportunity to perform covert activities. She performed these activities first in Berlin, where she collected information on the

\textsuperscript{33} Arendt and Gaus, 4.
\textsuperscript{34} Ibid., 4-5.
\textsuperscript{35} Young-Bruehl, 105; Arendt confirms this in a letter to Jaspers, “The person who opened my eyes to this [the Jewish question] was Kurt Blumenfeld, who then became a close friend and still is.” Arendt to Karl Jaspers, \textit{Hannah Arendt/ Karl Jaspers: Correspondence 1926-1969}, ed. Lotte Kohler and Hans Saner, trans. Robert and Rita Kimber (Orlando: Harcourt Brace, 1992), 7 September 1952, 197.
influence of antisemitism in German society (which was later used in her section on antisemitism in *Ort*). Her work with these organizations continued after she arrived in Paris, where she joined Youth Aliyah and worked at securing emigration for Jewish youth out of Europe to Palestine, and also offered her apartment as a safe haven for communists who were fleeing persecution. As these activities were a political response to the systemic evil she faced, she received a great deal of satisfaction from them. Although they led to her arrest and brief detainment in Germany, they nevertheless allowed her to proclaim: “I thought at least I have done something! At least I am not “innocent.” No one can say that of me!”  

As both Hitler’s influence and territory grew, however, Arendt’s opportunities for resistance and political action became fewer. In May of 1940, following the invasion of France, Arendt and Heinrich Blücher, who would later become her second husband, were sent to detention camps. Like most unmarried or childless women, Arendt was sent to a detention camp called Gurs. After a few weeks, in the confusion caused by France’s defeat, Arendt was able to escape the camp, and was reunited with Blücher. The couple began to seek emergency visas out of the country and in May of 1941, they arrived in New York (along with Arendt’s mother, Martha). It was here that Arendt continued to engage the Jewish question as a political issue, primarily in and through articles in journals.

Beginning in November 1941, Arendt published various articles on the Jewish question, both in her bi-weekly column in the German-Jewish newspaper *Aufbau*, and

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36 Arendt and Gaus, 5.
37 At this point she was still legally married to Günther Stern, whom she met at Heidegger’s seminar in 1925 at Marburg. Young-Bruehl, 61, 77.
38 Ibid., 158-9.
also in her regular contributions to other journals (including *Partisan Review* and *Commentary*). These articles ranged from calling for the formation of a Jewish army to fight Hitler’s troops, to her engaged criticism with Zionism, which she saw as infused with a dangerous nationalism and blindness to the reality of the Palestinian people. What is characteristic of all these writings is that they reflect Arendt’s understanding of her Jewish identity as a political issue, and a commitment to defend herself “as a Jew” against the systematic persecution of the Nazi regime. One of Arendt’s most diligent commentators, Margaret Canovan summarizes,

> The overwhelming message of her political writings during these years was a call for human beings in general and Jews in particular to take responsibility for the political world in which they found themselves: to take action rather than letting things happen to them, and to recognize and face up to political realities.

Arendt’s political writings on the Jewish question culminated in her engagement with the phenomenon of totalitarianism. Although her most explicit treatment of this phenomenon is found in *OT*, which was published in 1951 (the same year she became an

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39 Ibid., 169-188.
40 These articles, including “The Jewish Army- The Beginning of Resistance Politics,” *Aufbau* (Nov. 14, 1941); and “Who is the “Committee for a Jewish Army?” *Aufbau* (March 6, 1942); are collected in Jerome Kohn and Ron H. Feldman’s edited volume, *The Jewish Writings* (New York: Schocken Books, 2007), 134-185.
42 Canovan is an important figure in Arendt scholarship and has been particularly influential in my own thinking about Arendt, as this dissertation will clearly demonstrate. In 1974, Canovan published her first book on Arendt, *The Political Thought of Hannah Arendt* (London: Methuen, 1977), an introduction aimed at students. After reading Arendt’s unpublished materials at the Library of Congress, Canovan was compelled to reinterpret her own understanding of many of Arendt’s central ideas and texts. This reinterpretation, *Hannah Arendt: A Reinterpretation of her Political Thought* (Cambridge University Press, 1992), centralizes Arendt’s earliest writings on totalitarianism and argues that her later writings, particularly *The Human Condition*, need to be considered in light of their connection with “her reflections on the political catastrophes of the mid-century.” 7.
43 Canovan, *Hannah Arendt*, 11
American citizen), that she was beginning to think of this phenomenon within the context of systemic evil is revealed in an earlier essay, “Organized Guilt and Universal Responsibility,” which was first published in 1945. Here, Arendt explores the ways in which “administrative mass murder” implicates ordinary people, and particularly the “family man.” I quote her at length:

The extreme horror with which persons of good will react whenever the case of Germany is discussed is not evoked by those irresponsible co-responsible, nor even by the particular crimes of the Nazis themselves. It is, rather, the product of that vast administrative mass murder, in whose service not only thousands of persons, not even scores of thousands of selected murderers, but a whole people was employed: In that organization which Himmler has prepared against defeat, everyone is either an executioner, a victim, or an automaton, marching onward over the corpses of his comrades, chosen at first out of the various Storm Trooper formations and later from any army unit or other mass organization. That everyone, whether or not he is directly active in a murder camp, is forced to take part in one way or another in the workings of this machine of mass murder— that is the horrible thing.44

In trying to understand what were the real motives which caused people to act as cogs in the mass-murder machine, we shall not be aided by speculations about German history and the so-called German national character…There is more to be learned from the characteristic personality of the man who can boast that he was the organizing spirit of the murder. Himmler is not one of those intellectuals stemming from the dim No Man’s Land between the Bohemian and the Pimp, whose significance in the composition of the Nazi elite has been repeatedly stressed of late. He is neither a Bohemian like Goebbels, nor a sex criminal like Streicher, nor a perverted fanatic like Hitler, nor an adventurer like Goering. He is a “bourgeois” with all the outer aspect of respectability, all the habits of a good paterfamilias who does not betray his wife and anxiously seeks to secure a decent future for his children; and he has consciously built up this latest terror organization, covering the whole country, on the assumption that most people are not Bohemians nor fanatics, nor adventurers, nor sex maniacs, nor sadists, but first and foremost jobhoders, and good family men…it requires no particular national character to supply this new type of functionary. They are not even all natural murderers or traitors out of perversity. It is not even certain that they would do the work if it were not only their lives and their future that were at stake. They felt (after they no longer needed to fear God, their conscience cleared through the bureaucratic organization of their acts) only the responsibility toward

their own families. The transformation of the family man from a responsible member of society, interested in all public affairs, to a “bourgeois” concerned only with his private existence and knowing no civic virtue, is an international modern phenomenon.45

These excerpts exemplify a shift in Arendt’s thinking about systemic evil, away from a defensive response to political persecution and towards an analysis of the methods and devices that totalitarianism employed in order to implicate all members of society in its policies and goals. This analysis is continued and enriched in OT, where Arendt goes into great detail in describing how the devices of terror, ideology, and the concentration camps were employed in the service of the unprecedented goal of the “total domination” of man.

The crux of Arendt’s representation of the system of totalitarianism in OT is her claim that it renders human beings superfluous. Because these regimes claimed to be putting into motion laws inherent in nature or history (either Social Darwinism or the class struggle), both commitment to, and opposition to their policies and goals were equal impediments to the uninterrupted movement of these laws throughout society. Thus, these regimes, through the methods of terror, ideology, and the concentration camps, sought to eliminate the only thing that could stand in their way: spontaneity itself, the capacity of human beings to think and to act in new and surprising ways. In this way, although these regimes demonstrated the unlimited and devastating possibilities of human omnipotence, by proving that “everything is possible,” even the destruction of human spontaneity (which has traditionally been thought of as innate in human beings), this

omnipotence was accomplished in and through total surrender to the “supranatural” forces of nature or history.

Like most, or all, of Arendt’s works, *OT* occasioned various responses and criticisms (some of which I analyze in the following chapter). While Arendt, in her characteristic form, kept her personal responses to her critics at a minimum, it was the claim that the book was unbalanced towards the Holocaust at the expense of Stalinism that prompted her to begin to research Marxism further. Although she intended to write a book on the subject, her study of Marx instead became the foundation for what would become her celebrated political philosophy in *HC*, which was published in 1958.46

In this book, Arendt makes the compelling argument that the modern world is characterized by both world-alienation and subjectivization. By the former, Arendt means that we are becoming alienated from the in-between space, the world, that both unites and separates us as human beings. This world is built in and through fabrication, or work: the making of objects that outlive human beings. These objects, which can be anything from tools, to musical instruments, to houses, provide the permanence that allows us to come together and to establish a public realm. This realm, which consists of a plurality of human beings with diverse opinions and perspectives, makes possible what Arendt

46 Canovan, *Hannah Arendt*, 63. This connection is also made clear in the compilation of Arendt’s writings edited by Jerome Kohn, *The Promise of Politics* (Schocken Books: New York, 2005). Here, Kohn describes Arendt’s intent to write a book on Marxism, which she claimed, in the proposal she wrote to the John Simon Guggenheim Foundation was a deliberate omission, but a “serious gap” in her book on totalitarianism, which she maintained in order to preserve “the shocking originality of totalitarianism, the fact that ideologies and methods of governing were entirely unprecedented and that its causes defied proper explanation in the usual historical terms.” (cited by Kohn, xi). This book never materialized, however, it did lead Arendt to consider the ways in which the philosophical and political tradition had erred in prioritizing Marx, and therefore to her own reconceptualization of politics and action in *The Human Condition*. 

identifies as the highest, or most human, of activities, action, through which we exercise our human capacity for natality, by introducing the new into the world.

Arendt attributes our failure to build a durable world in which action is possible to tendencies inherent in the modern political tradition which have increasingly led human beings to think of themselves as laborers, and thus as concerned primarily with the preservation of life. Thus, this laboring capacity, which Arendt claims is the least human (or the closest to nature), has become our priority, and has transcended the limits of the household and the private realm (where it is properly relegated), and contaminated the public realm. This contamination has been exacerbated by the rise of the social realm, which posits society as a space of norms and conventions which demand conformity, and which replaces action (which depends on the plurality of the public realm) with behavior. Thus, as we have become increasingly less committed to building a durable world in which action is possible, we have also increasingly been subjectivized by the demands of society.

What makes the combination of world-alienation and subjectivization so devastating is that it has been accompanied by advances in science and technology which have allowed human beings not only to physically escape the confinement of the world, through space exploration, but also to create weapons that can effectively destroy human life, and potentially the planet as well. Thus, in addition to failing to build a durable home in which we can act and for which we feel responsible, we have reached a point where we are capable of destroying not only all human life on the planet, but also, potentially, the planet itself.

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47 Arendt calls this “earth alienation,” *HC*, 1-6; 264-5.
Although Arendt’s focus and conclusions in *HC* are clearly distinct from those of *OT*, there are many important connections between these works that exemplify the fact that each of these books are moments in Arendt’s continuous engagement with systemic evil. For example, both books describe modern life as characterized by a simultaneous growth in human potential, perhaps even human omnipotence (due to the belief that “everything is possible” or the advances in science and technology), and a decrease in human responsibility as a result of systemic pressures (either because of a surrender to the forces of nature and history, or the subjectivization caused by society). In addition, as I will demonstrate in the following chapter, many of Arendt’s foundational concepts in *OT*, such as spontaneity and plurality, are further developed and become essential to her political philosophy in *HC*. Perhaps most importantly, however, because *HC* is essentially a call for the defense and maintenance of the public realm, which is defined by plurality and makes action possible, it can be seen as a response to the phenomenon of totalitarianism, which, as I will demonstrate in the following chapter, was a targeted attack on, and essentially the elimination of plurality and thus natality.

Following *HC*, Arendt’s second explicit engagement with the Holocaust occurred in the context of her coverage of the trial of Adolf Eichmann in Jerusalem in 1961, in *EJ*. In this book, we see the continuation and evolution of her engagement with systemic evil; not in terms of the Jewish question, the methods and devices of totalitarianism, or modern subjectivization, but in and through an analysis of how ordinary people, or at least one ordinary person, became implicated in systemic evil. Thus, rather than focusing on the devices and methods that the system of totalitarianism employed in order to make human beings superfluous, Arendt’s report on Eichmann identifies the factors that allowed for a
normal person who possessed a conscience to become complicit in unprecedentedly horrendous crimes. Perhaps the most striking factor that Arendt identifies as central in this regard is Eichmann’s “thoughtlessness.”

After the publication of *EJ*, Arendt continued to be preoccupied with the issue of “thoughtlessness,” and its connection with morality, or, specifically, “evil-doing”. This preoccupation prompted her important essays, “Thinking and Moral Considerations,” and “Some Questions of Moral Philosophy.” This concern also culminated in the last book that Arendt wrote, her examination of the *vita contempliva*, or *The Life of the Mind* (*LM*), which remained unfinished at the time of her death. It is in this final book where we begin to see where her engagement with systemic evil would have culminated: in a theory on judgment.

Although Arendt died of a heart attack at the age of 69 in 1975, before she was able to begin the third part of *LM*, which was to be entitled “Judging,” to accompany the other two parts, “Thinking” and “Willing,” we can begin to speculate as to what this section would have included in light of Ronald Beiner’s edited volume of Arendt’s *Lectures on Kant’s Political Philosophy* (hereafter *LK*). These lectures, as well as the uncompleted *LM*, exemplify the culmination of Arendt’s lifelong engagement with systemic evil, by insisting on the capacity of each and every person to judge

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48 As I will explain further in my third chapter, Arendt understood thinking according to the Socratic two-in-one dialogue with the self. Thus, in failing to think, Arendt maintained that Eichmann failed to consider his actions from any other perspective, including his own, and became immune to the effects of his conscience.

49 Both of these essays can now be found in Jerome Kohn’s edited volume of Arendt’s essays, *Responsibility and Judgment* (New York: Schocken Books, 2003).

50 Arendt, *Lectures on Kant’s Political Philosophy*, ed. Ronald Beiner (Chicago: University of Chicago Press, 1982), in addition to other writings, by Arendt and others, which I will discuss in my last chapter.
spontaneously in every circumstance, and thus to resist compliance with systemic evil without succumbing to thoughtlessness or subjectivization.

In this section, I have sought to defend my claim that Arendt did in fact provide an overall representation of the Holocaust by arguing that all of her writings can be interpreted in light of her continued engagement with the Holocaust as a form of systemic evil. From 1933 on, it was the systemic evil of the Nazi regime that prompted her to recognize her Jewish identity, and the Jewish question more broadly, as a political issue. This recognition is reflected in both Arendt’s political activities with Zionist organizations, as well as her writings on the Jewish question. These articles culminated in the writing and publication of _OT_, wherein Arendt analyzes the devices that the system of totalitarianism employed to produce the “total domination” of human beings. The paradoxical omnipotence and surrender to historical forces that these regimes exemplified is reflected in Arendt’s analysis of the decline of the public realm, and her impassioned defense of politics in _HC_. Arendt’s encounter with Eichmann caused her to further explore the factors that made ordinary people complicit in systemic evil, and her identification of the role of “thoughtlessness” in this regard determined her later reflections on the connection between thinking and judging, in her last book, _LM._

**Understanding, Reconciliation, and Prevention**

How we represent and understand the Holocaust determines how we approach and conceive of reconciliation and prevention, or, to use the terms suggested by Ervin Staub in his recent book, _Overcoming Evil: Genocide, Violent Conflict, and Terrorism_, how we understand the origins of group violence, in this case the Holocaust, affects how
we understand reconciliation and prevention.\textsuperscript{51} In this project, therefore, reconciliation and prevention will be considered primarily in light of the context of systemic evil, which I claim is the fundamental context through which Arendt approached and understood the Holocaust. In attempting to deduce the scope and limitations of these two criteria, I turn to Arendt in order to consider what she identified as the primary goal that motivated and maintained her continued engagement with the Holocaust and systemic evil throughout her lifetime: understanding.

In her plainest explanation of this goal, Arendt tells us that understanding entails “the unmediated, attentive facing up to, and resisting of, reality- whatever it may be.”\textsuperscript{52} These two aims of understanding reflect the criteria of reconciliation (facing up to reality) and prevention (resisting reality). However, Arendt’s particular approach to these two goals delimits the parameters of reconciliation and prevention in ways that make them distinct from other and more common approaches to reconciliation and prevention in the field of Holocaust and genocide studies.

Understanding is what allowed Arendt to continue to love and to feel at home in a world where totalitarianism and the Holocaust had become a reality. For her, to understand totalitarianism meant “to reconcile ourselves to a world in which such things are possible at all.”\textsuperscript{53} Because Arendt represented the Holocaust as a form of systemic evil, and because, in understanding, Arendt aimed to feel at home in the world, reconciliation means something different for her than it does in the wider field of Holocaust and genocide studies.

\textsuperscript{52} OT, viii.
\textsuperscript{53} Arendt, “Understanding and Politics,” 308.
Within this field, reconciliation is commonly viewed as something that is sought after genocide, in the aftermath of group violence. It occurs between two groups, or even between two people who represent opposing sides of the conflict. This perspective on reconciliation is reflected by Staub, who argues that reconciliation requires “establishing the truth about past history, about past relations, and about the actions of each group that have harmed one another,” which, ideally, can create dialogue and “be a step towards a shared view of history,” or at least a mutual acceptance of each other’s views. Reconciliation between groups also requires justice, and therefore presupposes the punishment of perpetrators, compensation, and “a justice system that makes future impunity unlikely.” Lastly, reconciliation requires apology and forgiveness, “letting go of hostility and anger and increasing acceptance of harmdoers, and even more importantly of their group.”54

By contrast, although Arendt maintains that reconciliation is an imperative part of understanding, this is not the kind of reconciliation that occurs between two conflicting groups or persons, but rather, between the world and the individual faced with the seemingly incomprehensible and overwhelming reality of totalitarianism. For this reason, understanding does not include, as it does for Staub, forgiveness. In fact, Arendt was emphatic in her insistence that “The fact that reconciliation is inherent in understanding has given rise to the popular misrepresentation tout comprendre tout pardonner. Yet forgiving has so little to do with understanding that it is neither its condition nor its consequence.”55

54 Staub, Overcoming Evil, 21.
The primary reason for this is that Arendt understood forgiveness as a one-time act that has a particular end and result, in that it absolves the one who is forgiven from the unpredictable and unintended consequences of their actions.\textsuperscript{56} Understanding, by contrast, is not a one-time event, with no particular end, but is “unending…It is the specifically human way of being alive; for every single person needs to be reconciled to a world into which he was born a stranger and in which, to the extent of his distinct uniqueness he always remains a stranger.”\textsuperscript{57} Thus, understanding totalitarianism becomes a never-ending process, which cannot be concluded or resolved by forgiveness.

Instead, in order for such reconciliation to be achieved, Arendt claims that we must attentively face up to reality, we must bear “consciously the burden which our century has placed on us- neither denying its existence nor submitting meekly to its weight.”\textsuperscript{58} This entails that we must not shy away from the reality of systemic evil, we must penetrate it, study it, and examine it in all of its horror. Thus, we must identify the factors that made it possible and actual, identify how it was capable of “laying waste”\textsuperscript{59} entire countries of “civilized” human beings.\textsuperscript{60} In short, we must claim that it is comprehensible, and that it is within our power to comprehend it.

To claim that the Holocaust is comprehensible was not tantamount, for Arendt, to denying or diminishing its importance or horror:

\textsuperscript{56} As I will demonstrate further in the following chapter, this understanding of forgiveness is connected with Arendt’s understanding of action in the public realm, which is both unending and unpredictable, and can only be “tempered” by forgiveness and punishment. \textit{HC}, 236-243.
\textsuperscript{57} Arendt, “Understanding and Politics,” 308.
\textsuperscript{58} \textit{OT}, viii.
\textsuperscript{59} Arendt to Scholem, “Eichmann in Jerusalem,” 56.
\textsuperscript{60} Arendt, “Personal Responsibility Under Dictatorship,” in \textit{Responsibility and Judgment}, 43,
The conviction that everything that happens on earth must be comprehensible to man can lead to interpreting history by commonplaces. Comprehension does not mean denying the outrageous, deducing the unprecedented from precedents, or explaining phenomena by such analogies and generalizations that the impact of reality and the shock of experience are no longer felt.\(^61\)

By contrast, this attentive facing up to the reality of systemic evil can function to make it more horrific and shocking than we might have initially imagined.

In taking Arendt’s approach to understanding into consideration, as I evaluate each aspect of her overall representation of the Holocaust according to my first criteria, reconciliation, I will be asking whether each aspect of this representation functions to make the Holocaust, or totalitarianism, a comprehensible reality by identifying the factors that made it possible and actual, as well the processes, methods, and devices that functioned to implicate people at various levels of society.

Determining what might fulfill the criteria of prevention, in consideration of Arendt’s goal of understanding, is slightly more complicated, seeing as Arendt placed very definite limits on what could be achieved by understanding. The most important of these is that she distinguishes understanding from knowledge, particularly scientific knowledge, which she claims aims at producing concrete results, “Understanding, as distinguished from having correct information and scientific knowledge, is a complicated process which never produces any unequivocal results.”\(^62\) In addition, both reconciliation and prevention are complicated by Arendt’s insistence that understanding is an unending process that can only be accomplished once a phenomenon is no longer a reality, or even a potentiality.\(^63\) Thus, as I will demonstrate in the next chapter, because Arendt

\(^{61}\) OT, viii.
\(^{63}\) Ibid., 309.
understood totalitarianism as unprecedented, and therefore as an ever-present potentiality in our present and future, it seems that understanding it may not be possible at all.

Despite these challenges, Arendt claims that we must continue to endeavor to understand totalitarianism. Such an attempt, while it

…cannot be expected to provide results which are specifically helpful or inspiring in the fight against totalitarianism, must accompany this fight if it is to be more than a mere fight for survival. Insofar as totalitarian movements have sprung up in the non-totalitarian world (crystallizing elements found in that world, since totalitarian governments have not been imported from the moon), the process of understanding is clearly, and perhaps primarily, also a process of self-understanding. For, although we merely know, but do not yet fully understand, what we are fighting against, we know and understand even less what we are fighting for. And the resignation, so characteristic of Europe during the last war and so precisely formulated by an English poet who said that “we who lived by noble dreams/ defend the bad against the worse” will no longer suffice. In this sense, the activity of understanding is necessary; while it can never directly inspire or fight or provoke otherwise missing objectives, it alone can make it meaningful and prepare a new resourcefulness of the human mind and heart which perhaps will come into free play only after the battle is won.\(^{64}\)

In this excerpt, although Arendt explicitly claims that understanding cannot produce concrete results in the fight against totalitarianism, she also claims that understanding totalitarianism involves understanding ourselves. When considered in light of the context of systemic evil within which she understood totalitarianism, I believe this implies that it is possible for us to understand at least the ways in which we are susceptible to becoming complicit in systemic evil, not only totalitarianism, but other forms as well. Thus, if reconciliation entails making the Holocaust comprehensible by identifying the devices and the methods that made it possible and actual and that implicated ordinary people, prevention should, and must, entail an identification of the

\(^{64}\) Arendt, “Understanding and Politics,” in Essays in Understanding, 310.
resources at our disposal for identifying and confronting our own compliance with systemic evil, and also for preventing this compliance in the present and future.

In this regard, it could be said that Arendt’s approach to prevention, at least as far as I have constructed it here, is much closer to the approaches to prevention commonly taken in the field of Holocaust and genocide studies, as reflected by Staub:

Prevention, when it happens, is usually in response to already intense violence against a group. But ideally prevention of group violence will start early, before there is a significant level of violence. Prevention can start in response to characteristics of group culture and to the emergence of social conditions (difficult life conditions, group conflict) that have the potential to generate violence. It can start later, when the processes that lead to violence, such as scapegoating and a destructive ideology, have begun to appear, or when harmful actions have begun. Early prevention is less costly, materially and in the potential of lost lives. When mass killing or genocide has already begun, usually forceful responses are required to stop it….the most important actors in early prevention are internal actors. They need to influence ideas, policies and practices within society. When there is conflict and violence between segments of society- tribes, clans, political or ideological groups- other segments of society can be active bystanders. However, external actors are crucial in providing economic and other kinds of assistance and in generating internal action and supporting internal actors. Although the international community has usually paid little attention when a society has begun to move toward violence, it can and does have a responsibility to notice the signs of this and to serve as an active bystander by addressing the threat of violence in collaboration with internal actors.65

Here, Staub discusses the dynamics of early and late prevention, as well as the actors at each stage- internal, external, and the international community. Although Arendt did not always consider these aspects and dynamics of systemic evil, because they are important in our efforts to prevent and respond to systemic evil, I will be including them in my consideration of whether her representation of the Holocaust fulfills the second criteria I have identified, that they providing the resources for preventing future evils. Thus, in evaluating each aspect of her representation in this regard, I ask if they help us to

identify, confront, and prevent compliance with systemic evil, in its initial and later stages, and at the individual and international level.

Structure

Following this preliminary chapter, each subsequent chapter is dedicated to presenting an aspect that I have identified as central to Arendt’s overall representation of the Holocaust, and to assessing it according to these criteria. My second chapter explores Arendt’s claim that the Holocaust, or more generally, totalitarianism, was an unprecedented phenomenon in which the “total domination” of man was accomplished, and a new form of “radical evil” was introduced into the world.66 My third chapter takes up Arendt’s highly contested representation of Adolf Eichmann and the evil he exemplified as “banal” at his trial in Jerusalem in 1961.67 My fourth chapter explores what is certainly Arendt’s most controversial claim, that the Jewish Councils “cooperated” with the Nazis, and therefore facilitated and contributed to the destruction of their communities.68 In my concluding chapter, I consider where Arendt’s overall representation of the Holocaust leaves us in light of the framework I have proposed for assessing its ethical implications.

Each of these chapters is structured around answering the following questions:
What are the central features of this aspect of Arendt’s representation? What are the responses to, criticisms of, and limitations of this aspect of Arendt’s representation? Does it reconcile us to the Holocaust by identifying the factors that made it possible and actual,

66 Arendt, OT, ix.
67 Arendt, Eichmann in Jerusalem, 287.
68 Ibid., 125.
as well as the devices and methods that functioned to implicate people at various levels of society? Does it provide resources for preventing future evils, by allowing us to identify, confront, and prevent compliance with systemic evil on the individual and international level?

Scope and Limitations

As the structure of my project demonstrates, I am primarily concerned with the responses, limitations, and implications of Arendt’s representation of the Holocaust, rather than with its philosophical and political history and influences. For this reason, although my project may seem to demand it at various stages, I will not be tracing, except in those cases where it is necessary for clarity, how Arendt’s representation was influenced by, and how it differs from, the philosophical and political tradition to which she belonged. Although the influence of this tradition, and particularly of Arendt’s former teachers Martin Heidegger and Karl Jaspers, will perhaps be implicitly clear at every

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69 While it is difficult to overemphasize the influence that Heidegger had on Arendt’s life and thinking, this relationship has also been sensationalized. In her biography of Arendt, *Hannah Arendt: For Love of the World*, (New Haven: Yale University Press, 1982), Elisabeth Young-Bruehl revealed that Arendt and Heidegger had an intimate relationship while she was his student at Marburg University in 1924. This revelation gave way to a scandal in which Arendt was depicted as completely, and blindly, dependent on and devoted to Heidegger, both emotionally and professionally. Central to this sensationalization was Elzbeita Ettinger’s *Hannah Arendt/ Martin Heidegger* (New Haven: Yale University Press, 1995), which was based on Arendt and Heidegger’s correspondence, and Richard Wohlin’s *Heidegger’s Children: Hannah Arendt, Karl Löwith, Hans Jonas and Herbert Marcuse* (Princeton University Press, 2001). Each of these authors argues that Arendt was Heidegger’s “disciple” in her thinking, and overemphasizes the degree to which she reconciled herself both to him as a person and to his Nazism following the war. Despite this sensationalization, the degree of influence Heidegger, and their relationship, had on Arendt is also difficult to overemphasize. Many of Arendt’s most important themes and ideas, such as world and plurality, are founded on Heidegger’s phenomenology. A fascinating analysis of the ways
stage, it has been studied and commented on thoroughly by other reputable scholars, and is not relevant to the main concern of this dissertation, which is to present and evaluate Arendt’s representation of the Holocaust according to its ethical implications.

This focus also implies that my dissertation takes for granted the many important relationships that shaped and determined Arendt’s life and thinking. Although these include, perhaps foremost, her relationships with Heidegger and Jaspers, Arendt also maintained many close friendships, not all of which survived the controversy that her book on Eichmann (which I explore in chapter three) caused. In researching this dissertation I was struck by both the intimacy and the honesty of these relationships, in particular with her second husband, Heinrich Blücher (who, she told Jaspers, taught her to think politically), and with her best friend Mary McCarthy. Each of these relationships is uniquely revealed in the correspondences that have been published since Arendt’s death. Although it is not within the scope of this dissertation to analyze these

in which Arendt’s thinking is indebted to Heidegger is presented by Dana Villa in his Arendt and Heidegger: The Fate of the Political (New Jersey: Princeton University Press, 1996). Despite this influence, Seyla Benhabib is correct in also highlighting the degree to which Arendt, based on her own experiences, rethought and transformed many of Heidegger’s ideas in new and revolutionary ways. Benhabib, The Reluctant Modernism of Hannah Arendt (Thousand Oaks: Sage Productions, 1996). xxxviii.

Arendt completed her doctoral dissertation, on the concept of love in St. Augustine, under Jaspers’s supervision in 1929. The degree of influence that Jaspers was to have in her life, not only as a teacher, but also as a mentor, friend, and father figure is evident in Young-Bruehl’s biography of Arendt, as well as in their extensive correspondence, Arendt/Jaspers Correspondence 1926-1969, ed. Lotte Kohler and Hans Saner, translated by Robert and Rita Kimber (New York: Harcourt Brace & Co., 1992).

Arendt to Jaspers, Arendt/Jaspers Correspondence, 29 January 1946, 29.

relationships in depth, these correspondences, particularly Arendt’s extensive correspondence with Jaspers, will be referred to throughout, and have been an indispensable resource for my project, and for my thinking about Arendt in general.

Finally, my project is based on my contention that Hannah Arendt did in fact, over her lifetime and throughout her writings, provide an overall representation of the Holocaust. However, I do not believe that this representation is limited to her writings that deal specifically with the Holocaust or totalitarianism. By contrast, I argue that it is possible to understand all of Arendt’s writings in terms of her continued engagement with the Holocaust as a form of systemic evil. This argument is partly based on many contemporary rethinkings of the centrality of Arendt’s early writings on totalitarianism, and of their connection with her later works, particularly *The Human Condition* and *The Life of the Mind.* Because I defend this approach in this preliminary chapter, I will be taking it for granted in all subsequent chapters. Thus, although I will be drawing connections between various themes and concepts that appear throughout Arendt’s writings, such as natality, plurality, and action, I will not explicitly address or defend these connections at every stage.

While I believe that the framework that I provide in this project illuminates much of Arendt’s thinking in new and important ways, particularly in light of the ethical implications of her representation of the Holocaust, it is certainly not the only one.

available. Alternatives to this approach, such as contemporary feminist readings of Arendt,\textsuperscript{74} studies that emphasize the centrality of the Jewish question for Arendt,\textsuperscript{75} those that begin with Arendt’s political philosophy in \textit{The Human Condition},\textsuperscript{76} and also those that centralize Arendt’s earliest writings, such as her doctoral dissertation on the concept of love in St. Augustine,\textsuperscript{77} all illuminate different and relevant aspects of Arendt’s thinking and may in fact serve to challenge my own interpretations in this dissertation.

\textbf{Potential Conflicts and Contribution to Holocaust Studies}

As is perhaps clear by this point, my project necessarily takes Arendt’s thought in many directions that she herself did not take it, and, in some cases, explicitly claimed she did not intend for it to go. Although I have attempted throughout to ground my

\textsuperscript{74} For example, Joan Landes, ed, \textit{Feminism, the Public and the Private} (New York: Oxford University Press, 1998); Linda M. G. Zirelli, \textit{Feminism and the Abyss of Freedom} (University of Chicago Press, 2005).


\textsuperscript{76} For example, George Kateb, \textit{Hannah Arendt: Politics, Conscience, Evil} (New Jersey: Rowman & Allanheld, 1984).

\textsuperscript{77} This centrality is emphasized by Ronald Beiner, who claims that “Arendt’s concern with “worldliness,” which became a signal of her mature work, did not derive strictly from her political experience of being a stateless refugee in the 1930’s (which she analyzed theoretically in \textit{The Origins of Totalitarianism}). Instead, this concern was already implicit in her first philosophical writing in the 1920s. The commanding question of the Augustine book is: What drives Christians to eradicate love of the world as such? The commanding question of \textit{The Human Condition}, thirty years later, is: What drives moderns to exalt love of the self and love of life above love of the public world? The overlap between the two inquiries is unmistakable. At the heart of both books is a preoccupation with how concerns with “life” and “self” comes to prevail over concerns with “the world,” the site of humanity’s mundane affairs. In other words, in the Augustine book Arendt was already preoccupied with the phenomenon of “world alienation” that was to become the guiding theme of \textit{The Human Condition}.” Beiner, “Love and Worldliness: Hannah Arendt’s Reading of Saint Augustine,” in \textit{Hannah Arendt: Twenty Years Later}, ed. Larry May and Jerome Kohn (Cambridge: MIT Press, 1996), 272.
interpretations firmly in Arendt’s writings, and also in the body of scholarship that has succeeded her, in every case where I offer an interpretation that she herself explicitly denied, I will make this clear. Despite these cases, I do not believe that Arendt would have objected to this kind of a rethinking of her writings and ideas, something that she herself was quite open to during her lifetime.

Although her writings occasioned much debate and controversy, Arendt was characteristically scant in her responses to these controversies. Canovan tells us that even “misreadings of her books left her largely unmoved,” and that she had an “unusual sense of detachment” from her readers, and from academic debate more generally.\textsuperscript{78} This is reflected in a letter written by Arendt to the American Society of Christian Ethics in 1973: “Each time you write something and you send it out into the world…everybody is free to do with it what he pleases…You should not try to hold your hand now on whatever may happen to what you have been thinking yourself.”\textsuperscript{79}

I also do not believe that Arendt would have wanted her writings to become static and to cease to be able to speak to the concern of this dissertation, which is to evaluate representations of the Holocaust based on their practical effects in the world. As a thinker who was deeply concerned with ethics and also with the ways in which the Holocaust was misrepresented in her own lifetime,\textsuperscript{80} I believe the topic of this dissertation is directly

\textsuperscript{78} Canovan, \textit{Hannah Arendt}, 2.
\textsuperscript{79} Cited in Canovan, \textit{Hannah Arendt}, 3.
\textsuperscript{80} Arendt voices these concerns in a report based on her visit to Germany just six years after the war, “The Aftermath of Nazi Rule: Report from Germany,” in \textit{Essays in Understanding}, 248-251. Here, Arendt laments the fact that the war and the reality of the death factories is either evaded completely, or rationalized by claiming that the Germans only did what anyone else in their position would have done, or by emphasizing German suffering. What Arendt felt was most disturbing was the way in which facts, particularly about the war, were being treated as mere opinions, to which each person was entitled
relevant to her own fundamental concerns. Nevertheless, in this section I will present a few objections that she might have had to my approach, and, as far as is possible, respond to them. Although there are certainly more, I will deal primarily with Arendt’s emphasis on the importance of making distinctions and the sharp distinction that she made between thinking and acting.

Arendt’s representation of totalitarianism and the Holocaust locates it as a novel and specific kind of systemic evil, which was promoted in a particular way by a totalitarian government. She is very careful to distinguish totalitarian domination from any other form of government that preceded it, and cautions even against identifying totalitarian tendencies in modern society. In her reply to Voegelin’s review of OT, Arendt further emphasizes the importance of making distinctions between what was distinctly totalitarian, and other forms of systemic evil.

My chief quarrel with the present state of the historical and political sciences is their growing incapacity for making distinctions. Terms like nationalism, imperialism, totalitarianism, etc. are used indiscriminately for all kinds of political phenomena (usually just as "high-brow" words for aggression) and none of them is any longer understood with its particular historical background. The result is a generalization in which the words themselves lose all meaning.”

and which were all equally valid. These concerns are also very must evident in her report on Eichmann’s trial, where she takes issue with several ways in which the Israeli court misrepresents Eichmann, and the Holocaust more generally. These include the lessons Ben Gurion explicitly states that the trial was meant to teach Israel and the world, primarily about the necessity of the Israeli state for their safety (EJ 8-10); the representation of Eichmann as a mastermind of the genocide against the Jews (EJ 289); and also in the way in which the trial failed to recognize the unprecedented nature of Eichmann as a criminal, and the context in which he committed his crimes, instead placing him as the continuation and culmination of the long history of antisemitism (EJ 19, 267).

Because my project asks how Arendt’s representation of the Holocaust, or totalitarianism, can help us to identify, confront, and prevent compliance with other forms of systemic evil in our contemporary world, I am therefore, admittedly, going against her strict maintenance of the distinction between totalitarianism and other forms of systemic evil. Nevertheless, as I believe that Arendt’s representation has something to tell us, not only about these systems, but also about ourselves, and the ways in which we become implicated in them, I contend that it has applicability beyond the context of the Holocaust and totalitarianism. This is not to say that I am equating “lesser” forms of systemic evil or mass violence that we encounter in our current experience, nor that I am claiming that they are “soft” forms of totalitarianism, nor that they will eventually take on totalitarian form. Instead, I seek only to identify if, or how, Arendt’s representation of the Holocaust as a specific, albeit extreme form of systemic evil, might provide resources for preventing future systemic evils, by demonstrating how and why it became a possibility and actuality, how and why it implicated “ordinary” people, and what resources it provides for preventing such compliance.

Another potential challenge, in fact, a potentially devastating challenge, to my project is the sharp distinction that Arendt draws between the activities of thinking and acting, and the definite limits that she places on each. In essence, my project is founded on the claim that the way we think about and represent the Holocaust has direct consequences in the world, or practical effects that take the form of concrete actions in the world and have ethical implications. Arendt, would not, however, allow this kind of potential for the thinking activity. As I will explain in greater detail in chapter three, for Arendt thinking is the solitary two-in-one dialogue with the self. Because it requires the
thinker to withdraw from the world of appearances, it cannot produce knowledge or any practical results.\textsuperscript{82} As will be made clear in chapter two, Arendt would also challenge the connection I posit between thinking and acting by claiming that action is spontaneous and free from all motive and intent.\textsuperscript{83} In addition, because action occurs in the public realm, which is made up of a plurality of perspectives and opinions, action is both unpredictable and uncontrollable. Thus, the meaning of any action is determined by the way that it is remembered and retold by those in the public realm, and not by the actor.\textsuperscript{84}

Despite these central aspects of Arendt’s thought, the fact that representations of the Holocaust and theodicies have practical effects in the world is something we are growing ever more aware of. For this reason, I argue that an acknowledgement of their practical effects needs to be considered in analyzing and evaluating them. An Arendtian defense of such a project could also be imagined if we consider the fact that once representations of the Holocaust are written down, they cease to be thought, in the sense of the two-in-one dialogue with the self, and become matters of public concern, to be taken up in dialogue in the public realm. Thus, even if Arendt would argue that they cannot lead to concrete action, the degree to which they affect the way we think about ourselves, the world, and each other, makes them at least matters of political concern that should be talked about and evaluated from a variety of different perspectives.

My rethinking of Arendt’s representation of the Holocaust is, I believe, both timely and necessary. Within the field of Holocaust Studies, it serves to emphasize the multidisciplinary nature of the field. It also contributes to the current trend in scholarship,

\begin{itemize}
\item \textsuperscript{82} Arendt, “Thinking,” \textit{LM}, 6-7; 69-80.
\item \textsuperscript{83} Arendt, “What is Freedom?” \textit{Between Past and Future}, 151
\item \textsuperscript{84} \textit{HC}, 188-192.
\end{itemize}
which analyzes and evaluates the practical effects of representations of the Holocaust by providing a framework that allows for the identification of these effects. Although this framework is very much conditioned by Arendt’s primary goal of understanding, I maintain that it is applicable beyond the case of Arendt’s representation of the Holocaust, and might serve as a valuable tool for analyzing and evaluating other representations of the Holocaust in light of their practical effects. This is because all representations of the Holocaust are responses to the reality and experience of evil in the world, and can thus be classified as either broad or narrow theodicies. Therefore, although my dissertation only applies this evaluative framework to Arendt’s representation of the Holocaust, I believe it also provides a way to analyze and evaluate other representations of the Holocaust in consideration of their ethical implications and practical effects in the world.

Within the field of Arendt scholarship, my project belongs to a current trend that emphasizes the centrality of Arendt’s early writings on totalitarianism for understanding her work as a whole. It contributes to this field by identifying specific aspects of Arendt’s overall representation of the Holocaust and considering and reevaluating them not only in light not only of their well-known responses and criticisms, but also in light of their ethical implications.

Despite the fact that many aspects of Arendt’s representation of the Holocaust are highly contested, the degree of influence that it has had not only in Holocaust Studies, but also across a variety of disciplines, including social psychology and philosophy, is staggering. In the past two decades, events such as the 50th anniversary of the Eichmann
trial, the appearance of Margarethe von Trotta’s feature film *Hannah Arendt*,\(^8^5\) and Bettina Stangneth’s recent book *Eichmann Before Jerusalem: The Unexamined Life of a Mass Murderer*,\(^8^6\) have led to a renewed interest in, and reflection on Arendt and her writings. These considerations call for a sustained and balanced account not only of Arendt’s representation of the Holocaust, but also of its history, reception, and implications.

\(^{8^5}\) *Hannah Arendt*, directed by Margarethe von Trotta (2013, Zeitgeist Films, DVD).

\(^{8^6}\) Stangneth’s book in fact has led to much renewed, and also rehashed old critiques and considerations of Arendt’s representation of Eichmann in *EJ*, which I will consider in my third chapter. Bettina Stangneth, *Eichmann Before Jerusalem: The Unexamined Life of a Mass Murderer* (New York: Alfred A. Knopf, 2014).
Chapter Two

The Holocaust as Unprecedented

The first aspect that I have identified as central to Hannah Arendt’s representation of the Holocaust is her claim that it was an unprecedented event. Arendt explicitly made this claim in speaking not specifically of the Holocaust, but about the phenomenon of totalitarianism in general in OT. In many ways this claim of Arendt’s, and this aspect of her representation of the Holocaust is the most important, and served as the catalyst for her continued thinking about the Holocaust, and thus also for the subsequent aspects of her representation of the Holocaust which I have identified and will analyze in this dissertation.

In this chapter I begin by outlining the particular aspects of totalitarianism that Arendt identified as unprecedented. Although these aspects are many, I will organize them around the goal which she claimed characterized totalitarian regimes: the total domination of man. For Arendt, this amounted to the destruction or transformation of human nature itself, which she defines according to the capacity of human beings to think and act spontaneously. Although Arendt maintained that total domination was only truly accomplished in the concentration camps, her account demonstrates how this goal determined and shaped totalitarian regimes at every stage: it was necessitated by the underlying claim to be putting into motion the laws of nature or history, it was achieved by the unprecedented application of the methods of terror, ideology, and concentration camps, and it produced a new and unprecedented form of evil, which Arendt called “radical.”
Like many of Arendt’s texts, the criticisms and responses to OT are many and varied. Because I am primarily concerned with the text insofar as it presents Arendt’s representation of the Holocaust as unprecedented, and therefore contributes something essential to her overall representation of the Holocaust, in this chapter I will deal mainly with the responses and criticisms, (both implicit and explicit), and limitations of her text that pertain particularly to her analysis of total domination, and explore whether or not this domination (as she describes it), was in fact achieved in the concentration camps, and whether or not it was unprecedented.

Next, I will consider whether this aspect of Arendt’s representation fulfills the two evaluative criteria I have identified, does it reconcile us to the Holocaust by identifying the factors that made it possible and actual, as well as the devices and methods that functioned to implicate people at various levels of society? Does it provide resources for preventing future evils, by allowing us to identify, confront, and prevent compliance with systemic evil on the individual and international level?

The Representation of the Holocaust as Unprecedented in OT

Before proceeding it is necessary to first define the term unprecedented, as I will use it in this dissertation, and as I believe Arendt also used it. This term implies two things. First, that the Holocaust, or totalitarianism, was an entirely new and unpredictable phenomenon, dissimilar and incomparable to anything that occurred before it. Second,
since the emergence of this unprecedented phenomenon, it has become a precedent, and it, or events similar to it, remain a potentiality.  

Although this dissertation primarily focuses on Arendt’s overall representation of the Holocaust, her first thorough engagement with the Holocaust in *OT,* occurred within the context of her investigation of both Nazism and Stalinism. This book is a composite of three parts: Antisemitism, Imperialism, and Totalitarianism. Within each part, Arendt expands this framework to trace the development of other elements, including “antisemitism, decay of the nation state, racism, expansion for expansion’s sake, alliance between capital and mob,” throughout Europe in the 19th and 20th centuries.

The structure of the book, in addition to its title, *The Origins of Totalitarianism,* seems to suggest a chronological, causative, or cumulative relationship between these elements and the event of totalitarianism. However, Arendt was careful to specify that she did not intend to present an account of the gradual emergence of totalitarianism, or of its essence, but rather an account of the “elements” which eventually “crystallized” into totalitarianism. This “crystallization,” moreover, was neither inevitable nor necessary.

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87 Evidence that Arendt also understood the term in this way is found in Arendt’s discussion of Eichmann’s trial in *EJ,* “It is in the very nature of things human that every act that has once it has made its appearance and has been recorded in the history of mankind stays with mankind as a potentiality long after its actuality has become a thing of the past…It is essentially for this reason: that the unprecedented, once it has appeared, may become a precedent for the future, that all trials touching upon “crimes against humanity” must be judged according to a standard that is today still an “ideal.” 273.


89 In her reply to Eric Voegelin’s review of her book, Arendt claims: “The book, therefore, does not really deal with the "origins" of totalitarianism — as its title unfortunately claims — but gives a historical account of the elements which crystallized into totalitarianism, this account is followed by an analysis of the elemental structure of totalitarian movements and domination itself. The elementary structure of totalitarianism is the hidden structure of the book while its more apparent unity is provided by certain
In fact, most of the economic and political “elements” she identifies were available in other European nations, and never produced anything similar to totalitarian domination. However, without each of these elements, totalitarianism could not have emerged.

George Kateb provides an accurate summary of Arendt’s intentions,

In sum, totalitarianism is not conceivable, not conceptually possible, not superficially recognizable, not experientially familiar, not able to receive welcome and adherence and cooperation, without several generations of antisemitism, other kinds of racism, and imperialism (not only in Africa). At the same time, totalitarianism, is not their causal derivative or logical outcome.90

The implications of this “crystallizing” effect for understanding totalitarianism are many. Although Arendt traces the ways in which these various elements contributed to, or made totalitarianism possible and actual, she also maintains historical contingency and unpredictability by arguing that totalitarianism was not the inevitable or necessary outcome of these elements. This contingency, also expressed in her refusal to locate the emergence of totalitarianism within the cultures or traditions of either Germany or the Soviet Union, but instead in factors present throughout modern European society,91 is an integral part of her insistence on the novelty, and therefore the unprecedentedness, of the phenomenon of totalitarianism.

When reading OT with an eye to discerning which aspects of the Holocaust, or totalitarianism, Arendt identified as unprecedented, one is tempted to conclude: everything. The term is especially common in the third part on totalitarianism, where

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fundamental concepts which run like red threads through the whole.” Arendt to Voegelin, “The Origins of Totalitarianism,” 78. For this reason, Arendt also claimed that the original title of the book, The Burden of Our Times, may have caused less confusion about its methodology and goals. Seyla Benhabib, The Reluctant Modernism of Hannah Arendt, 64.

Arendt uses it to describe nearly every aspect of this phenomenon. However, a more concise answer to this question is found in Arendt’s reply to Eric Voegelin’s review of her book. Here, Arendt claims, “[W]hat is unprecedented in totalitarianism is not primarily its ideological content but the event of total domination itself.”92 The centrality of the event of total domination led two of Arendt’s most conscientious commentators, Dana Villa and Seyla Benhabib, to conclude that the camps, and the total domination that was achieved there, are therefore both the motivation and the point of departure for Arendt’s entire analysis of totalitarianism.93

Total Domination

In OT, Arendt tells us that total domination is the unprecedented goal that was sought by totalitarian regimes. This goal, and the domination is implied, was unprecedented because it entailed the deliberate and systematic attempt to eradicate each individual’s (as we shall see, this applied equally to all sectors of

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93 This perspective is apparent in Villa’s Terror, Politics, Ideology, and is also emphasized in his “Genealogies of Total Domination: Arendt, Adorno, and Auschwitz,” New German Critique, 100 (2007): 1-45, wherein he argues that OT “begins from a very specific account of the nature of total domination,” and that it was this domination that prompted and determined her entire account of totalitarianism, 6. In The Reluctant Modernism of Hannah Arendt, Benhabib offers a similar interpretation. “If one interprets the unity of the work as Arendt herself intended it to be read, one must begin not with the Enlightenment attitudes toward human nature … but with the chapter titled “Total Domination” on the extermination and concentration camps … The chapter “Total Domination” is significant not because it brings fresh empirical data into the discussion-it does not- but because of Arendt’s interpretive thesis that the camps are the “guiding social ideal of total domination in general,” or that, “these camps are the central institution of totalitarian organizational power. The camps reveal elementary truths about the totalitarian exercise of power, about the structure of totalitarian ideology, as well as bringing to light those moral, political, and psychological presuppositions of the tradition that would be forever destroyed once the camps were established, and became part of human history.” 64-5.
society, extending not only to the victims or the masses, but also to the administrators), capacity to think and to act spontaneously, in ways that were not determined and conditioned by the system. Thus, total domination sought to make all subjects of totalitarian rule completely predictable products of their environment, incapable of thinking or acting in surprising ways. Arendt explains,

Total domination, which strives to organize the infinite plurality and differentiation of human beings as if all of humanity were just one individual, is possible only if each and every person can be reduced to a never-changing identity of reactions, so that each of these bundles of reactions can be exchanged at random for any other. The problem is to fabricate something that does not exist, namely, a kind of species resembling other animal species whose only “freedom” would consist in “preserving the species.”

Within the context of *OT*, the spontaneity that was targeted in and through the ultimate goal of total domination is described primarily as the capacity of human beings to think and act in surprising ways, to begin something new out of their own resources that is not predictable or conditioned by their environment. Although *HC* was written seven years after *OT*, it is possible to interpret this spontaneity as connected to Arendt’s description of natality, the capacity of human beings to introduce the new into the world, or, “the new beginning inherent in birth.”

According to Arendt, each human being’s birth represents the intrusion of something entirely new and unpredictable into the world. The novelty inherent in this new beginning remains with human beings throughout their lives. Thus, because they themselves (through their birth) represent something new, they remain capable, regardless of their circumstances, of introducing the new into the world. This is why

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94 Ibid., 438.
95 *HC*, 9.
Arendt claims that human beings are at once conditioned and conditioning beings. We are necessarily conditioned by the world into which we appear and by the objects that make up that world. Nevertheless, we are never fully conditioned by these factors. We are always (or as we shall see, almost always), capable of thinking and acting in ways that are new, surprising, and not predictable based on our circumstances, and thus of introducing the new and unpredictable into the world.\textsuperscript{96}

Because the capacity to think and act in surprising ways, or to introduce the new into the world, is one that might be considered innate or essential to human beings, Arendt claims that in targeting and destroying this capacity, totalitarian regimes aimed at the “transformation of human nature itself.”\textsuperscript{97} This transformation, the production of “something that does not exist, namely, a kind of species resembling other animal species whose only “freedom” would consist in “preserving the species,”\textsuperscript{98} or, total domination, was sought in accordance with the unprecedented underlying premise that shaped and determined totalitarian regimes. This premise was, according to Arendt, what distinguished them from all previous forms of government, even tyrannies and dictatorships. Contrary to these former regimes, which saw themselves as putting into motion laws that were created by human beings, or at least one human being (their leader or dictator), totalitarian regimes saw themselves as putting into motion laws that were inherent and already at work in the very fabric and processes of nature or history.

Each regime understood these laws differently. Under Nazism, the natural world was understood to be shaped and determined by the principle of Social Darwinism, which

\textsuperscript{96} Ibid., 7-9.
\textsuperscript{97} OT, 458.
\textsuperscript{98} Ibid., 438.
would eventually lead to the survival of the “Aryan” race at the expense of “inferior” races. Under Stalinism, the progress of history was understood to be shaped and determined by the struggle of competing classes, which would eventually produce a communist society. Because each of these regimes understood these principles, or laws, to be inherent in nature or history, they saw themselves as merely expediting natural processes that were already at work, and helping them to achieve their desired, or natural, end at a greatly accelerated rate.

This unprecedented approach to government entailed that totalitarian regimes were not based on positive law or lawlessness in the traditional sense, but instead, received their ultimate legitimation from “suprahuman” sources of authority. For this reason, Arendt argued,

Instead of saying that totalitarian government is unprecedented we could also say that it has exploded the very alternative on which all definitions of the essence of governments have been based in political philosophy, that is the alternative between lawful and lawless government. That lawful government and legitimate power, on one side, lawlessness and arbitrary power on the other, belonged together and were inseparable has never been questioned. Yet totalitarian rule confronts us with a totally different kind of government. It defies, it is true, all positives laws, even to the extreme of defying those which it has itself established …But it operates neither without guidance or law nor is it arbitrary, for it claims to obey strictly and unequivocally those laws of Nature or History from which all positive law always have been supposed to spring.

In accordance with this new and unprecedented approach to government, or, in order for the laws inherent in nature or history to be accelerated, totalitarian regimes required a new kind of human subject, or material. In previous tyrannies and dictatorships, the ideal subject was one who was committed to and enthusiastic about the

\[99\] Ibid., 461.
\[100\] Ibid.
policies and goals of the regime. When this enthusiasm was not offered, passive support could be guaranteed through methods of intimidation. Within the totalitarian system, by contrast, both enthusiasm and fear are equal impediments to the free movement of the laws of nature or history. This is because it is not man, or even one man, who decides what role each person is to play in the movement of these laws, but the natural laws themselves. For this reason, each person must be prepared to fulfill the role that these inherent laws defines for them, whether that be executioner, administrator, or victim, and also be prepared to adjust that role at any given moment, if these laws so determine. The ideal subject of totalitarianism is therefore not the committed ideologue or the intimidated and fearful individual, but one who has been effectively transformed into “an active unfailing carrier of a law to which human beings otherwise would only passively and reluctantly be subjected.”

Thus, in seeking the total domination of its subjects, totalitarian regimes sought to eradicate their potential for spontaneous thought and action, to destroy their capacity to introduce the new into the world, in order to make them passive bodies upon which the laws of nature or history could be inscribed and carried out.

In order for these laws to be allowed to race freely through society, total domination was sought not only in the victims and the masses under totalitarian domination, but throughout every sector of society, including the administrators of the regime. According to Arendt, “The manipulators of this system believe in their own superfluousness as much as in that of all the others, and the totalitarian murderers are all the more dangerous because they do not care if they themselves are alive or dead, if they

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101 Ibid., 462
ever lived or were never born.” As we shall see, although Arendt maintained that total domination was only effectively achieved in the concentration camps, the regimes were at least effective in producing this superfluidity across all levels of society. Arendt saw superfulousness as a modern phenomenon that emerged when masses of people were made unnecessary, or expendable, as a result of population growth and unemployment in European society. Under totalitarianism, this superfluidity took on a more consequential nature. As total domination was sought across society, every single person, victim, executioner, or administrator, became expendable in accordance with the laws of nature or history. In fact, Arendt argued that Hitler was the only man in the entirety of Nazi society who was not replaceable, or superfluous.

Terror and Ideology

In order to achieve their goal of total domination, totalitarian regimes employed three devices or methods that aimed at eradicating spontaneity and natality across society. These devices: ideology, terror, and the concentration camps were not, according to Arendt, inventions of the Nazi regime, or unprecedented in themselves. However, when employed in the service of the goal of total domination, they were employed in completely unprecedented ways.

The first of these devices, ideology, was directed primarily at the masses and the elite of the regimes. It contributed to the goal of making these people passive bodies upon which the laws of nature or history could be inscribed by targeting their capacity for

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102 Ibid., 459.
103 Ibid., 197, 311, 457.
104 Ibid., 374.
spontaneous thought. Ideology accomplished this by enforcing the submission of the mind to a system of logical reasoning that explains everything in accordance with the underlying premise of the regimes: that they were putting into motion or accelerating the laws of nature or history. 

Within and outside of the totalitarian context, ideologies are given credibility by the scientific character that is ascribed to them: they claim to give scientific credence to a philosophical idea, and thus “pretend to be scientific philosophy.” Even in non-totalitarian contexts, ideologies are dangerous because their claim to total explanation and inherent logicality functions to inhibit the possibility of contradictions, and make their adherents immune to the reality of any experience or the possibility of any new idea that does not fit into, or is not interpreted according to, its inherent logicality. Thus, submitting the mind to an ideology is tantamount to surrendering our capacity to think anything new, and therefore threatens our capacity for natality. Arendt explains,

As soon as logic as a movement of thought- and not as a necessary control of thinking- is applied to an idea, this idea is transformed into a premise. Ideological world explanations performed this operation long before it became so eminently fruitful for totalitarian reasoning. The purely negative coercion of logic, the prohibition of contradictions, become “productive” so that a whole line of thought could be initiated, and forced upon the mind, by drawing conclusions in the manner of mere argumentation. This argumentative process could be interrupted neither by a new idea (which would have been another premise with another set of consequences) nor by new experience. Ideologies always assume that one idea is sufficient to explain everything in the development from the premise, that no experience can teach anything because everything is comprehended by this consistent process of logical deduction. The danger in exchanging the necessary insecurity of philosophical thought for the total explanation of an ideology and its Weltanschauung, is not even so much the risk of falling for some usually vulgar, always uncritical assumption as of exchanging the freedom inherent in man’s capacity to think for the straitjacket of logic with which man can force himself almost as violently as he is forced by some outside power.

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105 Ibid., 469.
106 Ibid., 470
Although ideology was not a totalitarian invention, it was only with the particular and unprecedented application of ideology within this context that Arendt claimed its “great political potentiality” was discovered.\textsuperscript{107} What distinguished the totalitarian use and application of ideology was,

[D]eceptively simple and inconspicuous: they took them [their ideologies] dead seriously….and proceeded to drive ideological implications into extremes of logical consistency which, to the onlooker, looked preposterously “primitive” and absurd: a “dying class” consisted of a people condemned to death; races that are “unfit to live” were to be exterminated.” Whoever agreed that there are such things as “dying classes” and did not draw the consequence of killing their members, or that the right to live had something to do with race and did not draw the consequence of killing “unfit races,” was plainly either stupid or a coward.\textsuperscript{108}

Thus, if one submitted one’s mind to the underlying logic of the regime, the seemingly extreme conclusions that were reached seemed altogether logical, and no room was left for oppositional or conflicting thoughts or experiences.

The strict application of these ideologies under Hitler and Stalin, and their effectiveness in insulating their adherents from thought and experience, ensured that ideologies also became the “principle of action” that guided the behavior of their subjects.\textsuperscript{109} Regardless of whether these subjects are defined by the ideology as victims, executioners, or functionaries, if they had submitted their mind to the logicality of the ideology, they could be expected to fulfill their role perfectly, and to adjust their role as required, in accordance with ideological reasoning. Thus, their capacity for spontaneous thought was eliminated.

\textsuperscript{107} Ibid., 468.
\textsuperscript{108} Ibid., 471-2
\textsuperscript{109} Ibid., 472.
The second device that totalitarian regimes employed in order to transform their subjects into passive carriers of the laws of nature or history was terror. Like ideology, terror was not an invention of totalitarian regimes. In previous tyrannies and dictatorships, it was employed in the initial stages of government and served to identify and eliminate opposition. In the initial stages of totalitarian domination, terror functioned in precisely this way. It eliminated opposition by suspending freedom and creating a context of extreme suspicion, thus destroying the bonds that united individuals in society, and creating a society of completely fearful and isolated individuals. Although it is further developed in HC, Arendt is also explicit in OT that this amounted to destroying the public sphere, or, making plurality, the condition that is necessary for spontaneous action, impossible.

According to Arendt, human beings are not only born as new and distinct individuals, they are also born into a world containing other new and distinct human beings. Thus, it is “men, not Man, [who] live in and inhabit the world.” This plural nature of our existence is what allows us to disclose ourselves. Disclosure does not entail a revealing of what we are, i.e., our “qualities, gifts, or talents,” (a woman, a Jew, a doctor), but instead who we are. Disclosing who one is requires action and speech. However, action and speech can only be disclosive if there are other human beings to hear it, to interpret it, to remember it, and (later) tell a story about it. In other words, introducing the new into the world through action and speech requires a public realm made up of a variety of different perspectives, where one’s opinion can be heard and

\[110\] Ibid., 464-8.
\[111\] HC, 7
made meaningful for the present and future.\textsuperscript{112} The destruction of plurality and the public sphere was thus necessary under totalitarianism, since “Only through the systematic elimination of legally and institutionally articulated spaces of freedom can a totalitarian regime destroy the capacity for action implicit in the simple fact of human plurality.”\textsuperscript{113}

By suspending freedom and creating a context of fear, in which opponents are identified and eliminated, and others are forced to align themselves with the regime, terror creates a “desert” of the public realm.\textsuperscript{114} In place of the public sphere of plurality and diversity, terror substitutes an iron band, “which holds them [men/ people] so tightly together that it is as though their plurality had disappeared into One Man of gigantic dimensions.”\textsuperscript{115} Within this iron band, there is no public space in which people can speak, act, and appear, there is no space for communication with others, and, even if there were, the diversity of opinions and perspectives that these others would ideally include has been obliterated, as they have all been reduced to “one man.” Thus,

\begin{quote}
In the iron band of terror, which destroys the plurality of men and makes out of the many the One who unfailingly will act as though he himself were part of he course of history or nature, a device has been found not only to liberate the historical and natural forces, but to accelerate them to a speed they never would reach if left to themselves.\textsuperscript{116}
\end{quote}

It is not, however, the destruction of the public sphere and plurality that distinguished totalitarian terror from previous forms, or mark its unprecedentedness. As we have seen, totalitarian regimes, tyrannies and dictatorships all employ terror in this way in their initial stages. In these previous forms of government, however, once terror

\begin{footnotes}
\item[112] Ibid., 171-193
\item[113] Villa, \textit{Politics, Philosophy, Terror}, 185
\item[114] \textit{OT}, 445-6.
\item[115] Ibid., 466.
\item[116] Ibid.
\end{footnotes}
has achieved this end, once all opposition has been eliminated and the “support” of the rest of society has been secured, terror is no longer necessary, and is abandoned as a political device. By contrast, totalitarian terror is not abandoned after opposition is eliminated. Instead, it continues to be employed at every stage, and it becomes indispensable only when all opposition is eliminated. According to Arendt, it is only after this initial stage that the true nature of totalitarian terror is revealed. It is therefore only after it reigns over a “completely subdued population” that it becomes unprecedented, “absolute,” or “total terror,”\(^{117}\) and reveals itself to be the true “essence” of totalitarian government.\(^{118}\)

Terror therefore takes on its particularly unprecedented nature only in the concentration camps, as these are the only part of totalitarian society where Arendt claims total domination was truly achieved. Hence, although ideology and terror sought this domination throughout society, it was only when terror reigned over human beings whose capacity for spontaneity and natality was systematically targeted and effectively eliminated, who had been totally dominated, that it assumed its unprecedented totalitarian form.

**The Concentration Camps**

Like ideology and terror, the concentration camps were not a totalitarian invention. Arendt explains, “They emerged for the first time during the Boer War, at the beginning of the century, and continued to be used in South Africa as well as India for

\(^{117}\) Ibid., 465.

\(^{118}\) Ibid., 466.
“undesirable elements.”\textsuperscript{119} In these earlier contexts, as well as in the early Nazi camps run by the SA (before they were taken over by the SS), neither the camps, nor the motives of the camp administrators presented anything new or unprecedented in history. Arendt explains,

The early Nazi camps were bad enough, but they were quite comprehensible: they were run by the SA with bestial methods and had the obvious aim to spread terror, kill outstanding politicians, deprive the opposition of its leaders, frighten would-be leaders into obscurity, and to satisfy the SA men’s desire to revenge themselves not only upon their immediate opponents but also upon members of the higher classes.\textsuperscript{120}

It was when the SS took over the administration of the camps, and when the vast majority of inmates were not political opponents or criminals, but instead people who were “completely innocent from the point of view of the regime, quite harmless in every respect, guilty neither of political convictions not of criminal actions,” that the camps became an unprecedented historical phenomenon.\textsuperscript{121}

Arendt’s engagement with these new and unprecedented camps stands apart from the rest of her analysis of totalitarianism because of the centrality she ascribes to them. She contends that they were the only places in totalitarian society where the ultimate goal of total domination was achieved, and identifies them as the “laboratories in the experiment of total domination”\textsuperscript{122} and the “true central institution of totalitarian organizational power.”\textsuperscript{123} In addition to the central place the camps occupy in her overall

\begin{footnotes}
\item\textsuperscript{119} Ibid., 240.
\item\textsuperscript{120} Arendt, “Social Science Techniques and the Study of the Concentration Camps,” in \textit{Essays in Understanding}, 236-7
\item\textsuperscript{121} \textit{OT}, 436.
\item\textsuperscript{122} Arendt, “Social Science Techniques and the Study of the Concentration Camps,” in \textit{Essays in Understanding}, 238.
\item\textsuperscript{123} \textit{OT}, 438.
\end{footnotes}
analysis, Arendt’s examination of the camps is also characterized by a sense of shock, and by an emotional engagement that is often lacking in her writing. This is particularly evident in her 1964 interview with Günter Gaus.

ARENDT: …You know, what was decisive was not the year 1933, at least not for me. What was decisive was the day we learned about Auschwitz.
GAUS: When was that?
ARENDT: That was in 1943. And at first we didn't believe it- although my husband and I always said that we expected anything from that bunch. But we didn't believe this because militarily it was unnecessary and uncalled for. My husband was a former military historian, he understands something about these matters. He said don't be gullible, don't take these stories at face value. They can't go that far! And then a half-year later we believed it after all, because we had the proof. That was the real shock. Before that we said: Well, one has enemies. That is entirely natural. Why shouldn't a people have enemies? But this was different. It was really as if an abyss had opened. Because we had the idea that amends could somehow be made for everything else, as amends can be made for just about everything at some point in politics. But not for this. This ought not to have happened. And I don't mean just the number of victims. I mean the method, the fabrication of corpses and so on- I don't need to go into that. This should not have happened. Something happened there to which we cannot reconcile ourselves. None of us ever can. About everything else that happened I have to say that it was sometimes rather difficult: we were very poor, we were hunted down, we had to flee, by hook or by crook we somehow had to get through, and whatever. That's how it was. But we were young. I even had a little fun with it- I can't deny it. But not this. This was something completely different. Personally I could accept everything else.124

Arendt’s claim that she “could not accept” the reality of the concentration camps indicates that they present an obstacle to her primary goal in thinking and writing about totalitarianism: understanding. This is an implication of Arendt’s representation that I

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124 Günter Gaus was, at the time of this interview, a well-known journalist. He later became a high official in Willy Brandt’s Social Democratic Party of Germany. This interview was broadcast on West German television, and received the Adolf Grimme Prize. The year after it was broadcast, in 1965, it was published as “Was bleibt? Es bleibt die Muttersprache,” in Günter Gaus, Zur Person, Munich, 1965. The English translation quoted here was translated by Joan Stanbauch, and appears in Essays in Understanding, edited by Jerome Kohn, under the title: “’What Remains: The Language Remains’: A Conversation with Günter Gaus.” p. 13-14.
will return to in my consideration of whether this aspect of Arendt’s representation functions to reconcile us to the Holocaust. For now, I will focus on how and why the camps were able to accomplish the goal of total domination, which, as we have seen, was also sought throughout totalitarian society.

Much of the success of the camps in this regard was, according to Arendt, due to the “scientifically controlled conditions” under which they operated. These conditions made possible the total domination of human beings, which, according to Arendt, could never have been accomplished “under normal circumstances.” This context was achieved by the isolation and separation the camps from the rest of totalitarian society, and from the outside world in general. Thus, the camps became a contained and isolated context in which the experiment of total domination could be engineered and accomplished. This experiment entailed the systematic targeting and destruction of the three capacitates, sensibilities, or characteristics, (Arendt calls them the three “persons”) that make spontaneity or natality possible, that allow human beings to think and to act in unpredictable ways, or introduce the new into the world: the judicial, moral, and individual.

The destruction of the juridical person, the first step on the road to total domination in the camps, has two stages. The first of these took place before the inmates arrived at the camps, while they still belonged to wider totalitarian society. It began with the definition of the Jews as such, according to the Nuremberg laws, and then progressed to making this defined group stateless. Removing Jews from the protection of the German state meant that they were also denied the protection of the state that accompanies

125 OT, 438.
citizenship. Arendt explains, “This was done by putting certain categories of people outside the protection of the law and forcing at the same time, through the instrument of denationalization, the nontotalitarian world into the recognition of lawlessness.”126 Thus, in addition to denying these people civil rights, killing the judicial person in man assured that other subjects of totalitarian regimes would not intervene in order to protect them from the state. Making human beings stateless was therefore the necessary prerequisite for making it acceptable to place completely innocent people in concentration camps. 

The second stage in the killing of the juridical person in man was accomplished “by placing the concentration camp outside the normal penal system, and by selecting the inmates outside the normal judicial procedure in which a definite crime entails a predictable penalty.” Thus, unlike the camps that were used in previous forms of government, and unlike the camps that were run by the SA (prior to their takeover by the SS), these new and unprecedented camps were populated not by criminals or political opponents, but instead by completely innocent people. In fact, in most cases the destruction of the juridical person is dependent on the fact that they be unable to understand their incarceration as punishment or penalty for any crime or act, since “it is harder to kill the juridical person in a man who is guilty of some crime than in a totally innocent person.”127

For this reason, in many cases criminals were forced to first carry out their sentences in the regular penal system before being admitted to the camps. This is not to say that criminals were never admitted into the camps, in fact they formed a very important part of camp society, often serving as Kapos and making up the camp

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126 OT, 447.
127 Ibid., 447-8.
aristocracy. Nevertheless, Arendt claims that, even if criminals maintained their judicial person, their presence in the camps contributed to the death of the juridical person in others by “making it shockingly evident to all new arrivals that they have landed on the lowest level of society, “where all social hierarchies had been obliterated or reversed.”

Once civil rights were effectively abolished, and the judicial person in man was killed, the second step in the total domination of man, the destruction of the moral person, became possible. Like the destruction of the judicial person, this was also accomplished in two stages. The first of these stages takes us back to Arendt’s understanding of plurality, and the necessity of the public sphere for the possibility of action. Although it is true that totalitarianism accomplished the destruction of this sphere throughout society, in no other part of society was this sphere so utterly obliterated than in the camps. Therefore, although the “iron band of terror” may have made “One man out of all men,” in the camps, as we shall see, those who were totally dominated were not only made into “One man,” but in the end did not resemble men at all. Not only were they not capable of action, because they were denied a public realm, they also existed in a realm where remembrance, that which makes human action meaningful, was an impossibility. Thus, in addition to having their lives determined by the law of nature or history, they were also denied any power or control over their deaths. By “corrupting all human solidarity” in the camps, the regime ensured that death, even in the form of martyrdom, could not be meaningful, since there was no one left (at least no one left who was recognizably

\[128\] Ibid., 447-51.
human), to grieve for the departed, and no one left to remember their death, life, or personal sacrifice.\textsuperscript{129}

The second stage of the destruction of the moral person in man was accomplished by destroying any appeal that may have remained to conscience, or to the traditional standards of good and evil, or right and wrong, that determined life prior to admittance to the camps. Arendt provides an illustrative example,

When a man is faced with the alternative of betraying and thus murdering his friends or of sending his wife and children, for whom he is in every sense responsible, to their death; when even suicide would mean the immediate death of his family- how is he to decide? The alternative is no longer between good and evil, but between murder and murder.\textsuperscript{130}

In addition to rendering conscience “absolutely questionable and equivocal,”\textsuperscript{131} the SS continued their destruction of the moral person by implicating their victims in the camps in their crimes, and placing them in charge of the administration of the systematic destruction of their fellow inmates. Thus, “the distinguishing line between persecutor and persecuted, between the murderer and his victim, is constantly blurred.”\textsuperscript{132}

Once the juridical and moral person are effectively abolished, the only thing that “still prevents men from being made into living corpses is the differentiation of the individual, his unique identity.” This destruction, which Arendt claimed was almost always achieved if the prior two “persons” had been destroyed, is achieved through a series of processes that begin with the transports to the camps, and continue until the inmates are finally led to the gas chambers. These include the packing of hundreds of men, women, and children in cattle cars for days or weeks at a time, shaving the inmates

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{129} Ibid., 451.
\item \textsuperscript{130} Ibid., 452.
\item \textsuperscript{131} Ibid.
\item \textsuperscript{132} Ibid., 452-3.
\end{itemize}
\end{footnotesize}
and dressing them in identical uniforms, and submitting them to forms of torture intended to “manipulate the body- with its infinite possibilities of suffering- in such a way as to destroy the human person as inexorably as do certain mental diseases of organic origin.”\(^{133}\) Once the individual person is effectively destroyed, total domination has been achieved,

> For to destroy individuality is to destroy spontaneity, man’s power to begin something new out of his own resources, something that cannot be explained on the basis of reactions to environment and events. Nothing then remains but ghastly marionettes with human faces, which all behave like the dog in Pavlov’s experiments, which all react with perfect reliability even when going to their own death, and which do nothing but react.\(^{134}\)

The fact that Arendt claims that these regimes were able to successfully accomplish their goal of total domination in the camps is ultimately the climax, or if we agree with Villa and Benhabib, the point of departure, for her entire analysis of totalitarianism. With this accomplishment, Arendt explains that totalitarian regimes were able to prove that “everything is possible.” Contrary to the nihilistic credo that “everything is permitted,” which still assumes a leader and the will of a leader, totalitarian regimes proved that it was possible even to destroy what was once thought to be essential to human beings: their capacity for natality, their ability to think and to act in ways that are surprising, their capacity to begin something new out of their own resources.\(^{135}\)

\(^{133}\) Ibid., 453.

\(^{134}\) Ibid., 455.

\(^{135}\) For a fascinating discussion of the paradox implicit in this: that the belief in human omnipotence, or the ability to destroy everything, even that which was once thought to be essential to men, is also the product of superfluidity and complete submission to the laws of nature or history see Canovan, *Hannah Arendt*, 56-7.
Radical Evil

The implications of this “achievement” for our understanding of the world and of human beings are vast, and mostly not addressed by Arendt within OT. However, what Arendt does address in OT is the implications that the reality of total domination has for our understanding of evil. With the total domination of man in the concentration camps she claims that a new form of evil has emerged, one that would perhaps never have revealed itself without totalitarian domination. She calls this evil “radical,” or “absolute.” This new, or unprecedented, form of evil is distinguished from all previous theories or experiences of evil by the fact that it is not the product of comprehensible motives, and that it is unpunishable and unforgiveable.

Although Arendt uses the Kantian term, “radical evil,” she was careful to distinguish her concept from this more traditional one, it is inherent in our entire philosophical tradition that we cannot conceive of a “radical evil,” and this is true both for Christian theology, which conceded even to the devil himself a celestial origin, as well as for Kant, the only philosopher who, in the word he coined for it, at least must have suspected the existence of this evil

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136 As indicated in my first chapter on Arendt, I believe it is possible to interpret her later writings as the working out of many of these implications.
137 In the introduction to the first edition of OT, Arendt claims: “without it [totalitarianism] we might never have known the truly radical nature of evil,” ix. This conclusion is also reflected in a letter written to Jaspers on March 4, 1941: “What radical evil is I don't know, but it seems to have to do with the following phenomenon: making human beings superfluous…this happens as soon as all unpredictability- which in human beings is the equivalent of spontaneity- is eliminated.” Arendt/Jaspers Correspondence, 166.
138 OT, viii-ix.
139 For my summary of Arendt’s thinking on radical evil I am deeply indebted to Daniel Brandes’ lectures from his class Hannah Arendt: Terror Politics, Thought, University of King’s College, Halifax NS, 2014; and doctoral dissertation, “When Everything is Possible: Hannah Arendt on Freedom and the Question of Evil” (PhD diss., Northwestern University, 2004).
even though he immediately rationalized it in the concept of a “perverted ill will” that could be explained by comprehensible motives.\textsuperscript{141}

The key feature that differentiates Arendt’s radical evil from Kant’s is her claim that it “could no longer be understood and explained by the evil motives of “self-interest, greed, covetousness, resentment, lust for power, and cowardice.”\textsuperscript{142} All of these motives were, according to Arendt “humanly understandable.” Thus, they would fall under Kant’s definition of “radical evil,” whereby the moral agent freely decides to subvert the moral law (which is defined by the categorical imperative: the will to universalize one’s action as well as to always use others as ends rather than means), in favor of self-interest. However, as should be clear from my description of total domination in the camps, the evil that is perpetrated by and upon human beings who no longer have the capacity for spontaneity is not tied to self-interest, nor to any of these traditional motives or intentions, but instead is the result of the laws of nature or history being inscribed onto their passive bodies. Thus, these “agents,” do not choose to do evil in the same way as Kant’s, their evil is not the product of their rational and calculated decision to subvert the moral law.

I therefore propose that Arendt’s use of the term “radical,” in contrast to Kant’s, where it intends to locate evil at the “root” of the human capacity for rationality (and

\textsuperscript{141} OT, 459. Further evidence that Arendt understood her concept as distinct from the traditional western approach to evil, which includes and is heavily influenced by Kant, is found in a letter she wrote to Karl Jaspers the same year that OT was published, “Evil has proved to be more radical than expected. In objective terms, modern crimes are not provided for in the Ten Commandments. Or: The Western Tradition is suffering from the preconception that the most evil things about human beings can rise from the vice of selfishness. Yet we know that the greatest evils or radical evil has nothing to do anymore with such humanly understandable, sinful motives.” Arendt-Jaspers Correspondence, March 4, 1951, 166.

\textsuperscript{142} OT, 459.
weakness), indicates that it has in fact destroyed the “roots” that were once thought to define the human being: their capacity to begin, to act and to think in ways that are surprising and unpredictable. As indicated at the outset of this chapter, the total domination of man in the camps, and the emergence of radical evil have proven that these capacities are not located in an innate and indestructible human nature, as they can be systematically destroyed.\textsuperscript{143}

The second feature that makes radical evil unprecedented is that it is unpunishable and unforgiveable. In other words, “In their effort to prove that everything is possible, totalitarian regimes have discovered without knowing it that there are crimes which men can neither punish nor forgive.”\textsuperscript{144} In order to understand this aspect of radical evil, we must return to Arendt’s account of action in \textit{HC}. As we have already seen, action requires a public sphere in which the actor can disclose himself or herself. However, because action can only occur within this plurality of diverse opinions and perspectives, it is unavoidably irreversible: once they have acted, the actor cannot undo their action; and unpredictable: the actor cannot predict the consequences of their actions. In order to release the actor from the potentially overwhelming consequences and responsibilities that therefore accompany action, Arendt posits forgiveness and punishment. Forgiveness presents a remedy, or an end, to the uncontrollability and unpredictability of action by releasing the actor from the unforeseeable consequences of their actions. Punishment,

\textsuperscript{143} Canovan reaches a similar conclusion: “Totalitarian regimes are absolutely evil because they do their best to establish a form of domination so intense that all that is most characteristic of human beings has been destroyed.” \textit{Hannah Arendt}, 25.

\textsuperscript{144} \textit{OT}, 459.
which is the alternative to forgiveness, serves the same function. By holding the actor accountable for their actions, it allows them to move beyond them in a tangible way.\(^{145}\)

Radical evil, which emerges when total domination has been achieved, is immune to both punishment and forgiveness because it depends upon the destruction of the public realm. Thus, if forgiveness and punishment can only happen within the public sphere, radical evil, which emerges only when this sphere, and the plurality that makes it possible, has been destroyed, is immune to their effects. In addition, because total domination aimed at destroying plurality and making all men superfluous, there exists no particular “agent” to forgive or punish for their “actions,” since these agents, if total domination is in fact achieved, are nothing but passive bodies upon which the law of nature or history is inscribed, and through which it is enacted in the world.

As Arendt herself points out, radical evil also entails a vast discrepancy between the actions, or crimes, of the perpetrators and administrators, and the possible punishments that might be meted out.\(^{146}\) Because the unprecedented radical evil that was perpetrated in the camps was not murder in the traditional sense, but the mass production of living corpses, of people deprived of spontaneity and natality, any form of forgiveness or punishment (in the traditional judicial context), is inevitably incommensurate with the action itself.

\(^{145}\) *HC*, 236-247.

\(^{146}\) In “Social Science and the Concentration Camps,” Arendt explains, “While our common sense is perplexed when confronted with actions which are neither passion inspired nor utilitarian, our ethics is unable to cope with crimes which the Ten Commandments could not foresee. It is senseless to hang a man for murder who took part in the fabrication of corpses (although we hardly have any other course of action). These were crimes which no punishment seems to fit because all punishment is limited by the death penalty.” 242-3.
Finally, in a context where all of society was mobilized towards the promotion of the laws of nature or history, the traditional markers of guilt and responsibility are obscured. Arendt is clear that the “total mobilization” of society, which entailed blurring the lines not only between the Nazis and Germans, but also between the perpetrators and their victims (as we have seen in the destruction of the moral person in the camps), was a deliberate strategy that was undertaken in anticipation of defeat.\textsuperscript{147} The effect of this “total mobilization” was that “where all are guilty, no one in the last analysis can be judged.”\textsuperscript{148}

This is not to say that Arendt ascribed equal responsibility to all those (or everyone), who became complicit in the regime. In fact, in an earlier essay, “Organized Guilt and Universal Responsibility” (1945), she makes a distinction between those who are in some way responsible, (i.e., by supporting the regime, and failing to exercise their own judgment in opposition to it), and those who are guilty, (i.e, who became involved in the actual killing).\textsuperscript{149} Nevertheless, her point in making this distinction is not to establish guilt or mete out punishment but to demonstrate that, under the unprecedented context of the “total mobilization” of a people in the service of the laws of nature or history, our traditional standards of forgiveness and punishment fail to provide any kind of consolation or resources for moving forward.

To summarize, the central concept for Arendt’s representation of the Holocaust as unprecedented is her claim that for the first time in history, in the concentration camps, the total domination of human beings was achieved. This total domination entailed the

\textsuperscript{148} Ibid, 126.
\textsuperscript{149} Ibid.
eradication of their capacity for spontaneity or natality, their ability to think and act in ways that are unpredictable and surprising and thus to introduce the new into the world. This goal was sought in order that the laws of nature or history (racial or class struggle/supremacy), be allowed to race freely through history, unimpeded by enthusiasm, opposition, thought, experience, or action. It was achieved by the unprecedented application of ideology and terror, which became absolute in the concentration camps, where it continued to reign over people whose juridical, moral, and individual persons had been systematically targeted and destroyed. The successful accomplishment of the goal of total domination has led to the emergence of a new form of radical evil in the world, which cannot be understood according to “humanly comprehensible motives” and which is neither punishable nor forgivable.

Responses, Criticisms, Limitations

Like most, or all, of Arendt’s writings, OT elicited a plethora of responses and criticisms. Some of these criticisms, such as the claim that Arendt intended to reveal the gradual “unfolding” of the essence of totalitarianism, were misunderstandings based on a misunderstanding of Arendt’s purpose in describing the elements that “crystallized” into totalitarianism. Many critiques concerned the methodology, or lack thereof, in the book, which has no apparent structure and does not fit easily into any genre. Perhaps

\[150\] In his early review of OT, Voegelin claims, “It is an attempt to make contemporary phenomena intelligible by tracing their origin back to the eighteenth century, thus establishing a time unit in which the essence of totalitarianism unfolded to its fullness.” Voegelin to Arendt, “The Origins of Totalitarianism,” 69.

\[151\] This critique is reflected in Benhabib’s summary: “From the standpoint of established disciplinary methodologies, Arendt’s work defied categorization while violating a lot of rules. It is too systematically ambitious and overinterpreted to be a
the most founded criticism of the book was that it was unbalanced, in that it devoted much more attention and analysis to Nazism at the expense of Stalinism, and therefore missed some essential distinctions or differences between these two phenomena, which Arendt assumes were fundamentally alike.  

While all of these responses reveal essential features and limitations of the book, in this section I will deal primarily with explicit and implicit responses to Arendt’s strictly historical account; it is too anecdotal, narrative, and ideographic to be considered social science, and although it has the vivacity and the stylistic flair of a work of political journalism, it is too philosophical to be accessible to a broad public.” The Reluctant Modernism, 63. In responding to this criticism, which was also raised by Voegelin, Arendt claimed that the “rather unusual” methodological and disciplinary nature of the book was the result of a particular problem that she faced in attempting to write about totalitarianism, “how to write historically about something- totalitarianism- which I did not want to conserve but on the contrary felt obligated to destroy.” Since “all historiography is necessarily salvation,” Arendt deliberately wrote in a fragmented way, “That is, I did not want to write a history of totalitarianism but an analysis in terms of history…The book therefore does not really deal with the “origins” of totalitarianism- as its title unfortunately claims- but gives a historical account of the elements which crystallized into totalitarianism, this account is followed by an analysis of the elemental structure of totalitarian movements and domination itself. The elementary structure of totalitarianism is the hidden structure of the book while its most apparent unity is provided by certain fundamental concepts which run like a red thread through the whole.”  

In Hannah Arendt: A Reinterpretation, Canovan explains that this imbalance is due to the fact that OT was originally not intended as an analysis of Nazism and Stalinism as essentially similar phenomenon, and that the final section of the book, totalitarianism, was in fact “an afterthought.” In fact, Canovan cites a correspondence between Arendt and her publisher which states that Arendt had originally not intended to treat Stalinism at all, and Nazism only in one chapter, on “Race-Imperialism.” It was only later, as Arendt prepared her lectures for the Rand School in 1948 and 1949, that she began to consider Stalinism alongside Nazism in this way. This, “last minute shift in emphasis” resulted in the unbalance of the book, which has extensive “discussions of antisemitism and racism [that] seemed to have little specific connection with the USSR, while the book lacked any corresponding discussion of Stalinism’s ideological roots in Marxism.” 18-19. Arendt responded to this criticism by delving into Marxism, and intending to write a book about it. However, that book never materialized, and instead, this research contributed greatly to HC. As indicated in my first chapter, this unbalance may also have been due to a deliberate omission by Arendt of many aspects of Stalinism, which she intended to correct with a subsequent publication, Jerome Kohn, ed., The Promise of Politics, xi.
analysis of total domination, which I consider to be the most important aspect of her representation of totalitarianism as unprecedented, and its limitations. The first part of this section will therefore present some arguments for and against Arendt’s claim that total domination, the destruction of spontaneity and natality, was in fact achieved in the camps. The second part will present some arguments for and against Arendt’s claim that total domination in the concentration camps and killing centers was in fact unprecedented. An important limitation of Arendt’s claim that total domination was achieved in the camps is the limited resources that she used to come to this conclusion. Arendt bases much of her analysis of the concentration camps on the eyewitness accounts of Bruno Bettelheim, Eugen Kogon, and David Rousset, which she calls “the best reports on Nazi concentration camps.”\footnote{OT, 439, fn120; David Rousset, Les Jours de Notre Mort, (Paris: Union Générale D’éditions, 1974) (originally published in 1947) and The Other Kingdom (New York: Reynal & Hitchcock, 1947); Eugen Kogon, The Theory and Practice of Hell: The German Concentration Camps and the System Behind Them (New York: Berkley Publication Co, 1968) (originally 1956); Bruno Bettelheim, “On Dachau and Buchenwald” Nazi Conspiracy and Aggression, v7 (1946), 818-839; “Individual and Mass Behavior in Extreme Situations” Journal of Abnormal and Social Psychology, v38, no. 4 (1943), 417-452.} Scholars today have many more survivor testimonies at our disposal, which give a much more complex picture of life and death in the camps. Having these sources at our disposal has led some to conclude that Arendt may have been overly simplistic in her claim that total domination was truly achieved, or that,

A closer and more nuanced look at life in the concentration camps reveals that the Nazis’ attempt to accomplish total domination over man was only partially achieved. Even in the most animalistic circumstances of the bitter struggle for life, the Nazis did not succeed in utterly destroying human gestures; inmates never ceased entirely to care for one another or to try to maintain their own dignity.\footnote{Michal Aharony, “Hannah Arendt and the Idea of Total Domination,” Holocaust and Genocide Studies vol. 24, no. 2 (Fall 2010), 210-11.}
However, the complexity that is revealed by the vast literature does not necessarily negate Arendt’s conclusion that total domination was achieved in the camps. Paradoxically, it is possible to find evidence both to support and to contradict Arendt’s claim that total domination was achieved in the camps in many survivor testimonies.

In his *Facing the Extreme: Moral Life in the Concentration Camps*, philosopher Tzvetan Todorov claims that most survivor testimonies include both descriptions of people who were reduced to animal-like reactionary states where moral life was impossible, (or, in Arendtian terms, the moral person was effectively destroyed), as well as examples of moral behavior, mutual aid, and solidarity, which seemingly negate Arendt’s claim that total domination was achieved, by providing evidence of the survival of the moral person in man.\footnote{Tzvetan Todorov, *Facing the Extreme: Moral Life in the Concentration Camps* (New York: Henry Holt and Company, 1996), 34.} It is possible to find examples of each of these extremes in the writings of Primo Levi and Charlotte Delbo.

Both Levi and Delbo have written memoirs recalling their time at Auschwitz. However, they were each sent there under very different circumstances. Levi was deported as a Jew, just five months after receiving his doctorate in Chemistry, in February of 1943. The ten months he spent at Auschwitz are recounted in his memoir *Survival at Auschwitz: The Nazi Assault on Humanity* (1947) and also in *The Reawakening* (1963), and *The Drowned and the Saved* (1967).\footnote{Shoah Resource Centre, Primo Levi, [www.yadvashem.org](http://www.yadvashem.org), accessed May 7, 2014. Levi has also written several novels or collections of short stories, including *The Sixth Day and Other Tales* (1966), *The Periodic Table* (1975), and *The Wrench* (1978).}

Delbo and her husband were arrested as a French political opponents in 1942. After her husband was executed, she was deported to Auschwitz in January of 1943,
along with a convoy of 230 French women, most of whom were also involved in clandestine activities. Delbo spent a year in Auschwitz, and her memoirs, *None of Us Will Return* (written in 1946- published in 1965), *Useless Knowledge*, *The Measure of Our Days*, (both written in 1946 and 47 and published in 1970), and *Days and Memory* (1985), are collections of poems recounting and reflecting on her experiences.

Levi begins his first memoir, *Survival in Auschwitz*, with a poem written in the style of the Shema, the traditional Jewish declaration of faith, that asks, (perhaps in a very Arendtian way), whether we can still consider those human beings who were destroyed by Auschwitz, who no longer possess any of the qualities that were perhaps once thought to be an indispensable part of human nature, to be men, women, or human beings. The first three verses of the poem read as follows

You who live safe  
In your warm houses,  
You who find, returning in the evening,  
Hot food and friendly faces:

Consider if this is a man  
Who works in the mud,  
Who does not know peace,  
Who fights for a scrap of bread  
Who dies because of a yes or a no.

Consider if this is a woman  
Without hair and without name  
With no more strength to remember,  
Her eyes empty and her womb cold  
Like a frog in winter.

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157 These three volumes now appear in the volume *Auschwitz and After* (Yale University Press, 1995), which I will be citing for the remainder of this chapter.

158 Lawrence Langer, “Introduction” in *Auschwitz and After*, viiii-x.
The question this poem asks remains in the background for the entirety of Levi’s account. In fact, the centrality of this question for Levi is further reflected by the fact that the title of this poem, *If this is a Man*, was in fact the original title of *Survival in Auschwitz*. In the remainder of his account, Levi provides an implicit answer to this question in his descriptions of those he encounters and interacts with in his daily life at the camp. Particularly pertinent is his description of the *Musselmänner*, the large portion of the camp population that he describes as the “drowned,” “the weak, the inept,” those doomed to selection. Of them he writes,

> Their life is short but their number is endless; they, the *Musselmänner*, the drowned, form the backbone of the camp, an anonymous mass, continually renewed and always identical, of non-men who march and labor in silence, the divine spark dead within them, already too empty to really suffer. One hesitates to call them living: one hesitates to call their death death, in the face of which they have no fear, as they are too tired to understand.  

This description seems to provide an implicit confirmation of Arendt’s claim that human beings were in fact totally dominated in the camps. The *Musselmänner* certainly seem to be incapable of spontaneous thought of action, and to have become a completely predictable part of their environment.

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159 Levi reveals this in “A Conversation with Philip Roth,” an interview included in the English translation of *Survival in Auschwitz*, 181.

160 Levi indicates that this is the term that was used by the “old ones” in the camp to describe this category of prisoner. *Survival in Auschwitz*, 88. In his *Remnants of Auschwitz: The Witness and the Archive* (New York: Zone Books, 2002), Giorgio Agamben explains that “the most likely explanation of the term can be found in the literal meaning of the Arabic word muslim: one who submits unconditionally to the will of God…but while the muslim’s resignation consists in the conviction that the will of Allah is at work every moment and in even the smallest events, the Muselmann of Auschwitz is instead defined by a loss of all will and consciousness.” (New York, Zone Books, 2002), 45.

161 *Survival in Auschwitz*, 88.

162 Ibid., 90.
It is possible to find a similar confirmation of the total domination of human beings in Delbo’s writings. Throughout her poems, Delbo represents her companions as somehow not human, or at least as somehow not recognizably human, or not recognizably alive. In one poem she describes her fellow inmates as “living corpses,”¹⁶³ “dummies” and “ghosts.”¹⁶⁴ In another, the artificial limb of one of her companions is described as more alive than she is.¹⁶⁵ In describing the cries she hears from those who suffer around her, she does not speak of screams, or wails, which we would perhaps recognize as human sounds, but instead of howls, (which are not human sounds), that emanate from bodies, bodies which have essentially become the cries themselves.¹⁶⁶ Hauntingly, Delbo also claims that although she did not physically die at Auschwitz, she did not return from Auschwitz, or at least did not return alive, “I’m not alive. I died at Auschwitz but no one knows it.”¹⁶⁷ Such descriptions seem to confirm Arendt’s conclusion that total domination, or the transformation of human nature, was in fact achieved in the camps.

Despite Levi and Delbo’s descriptions of these Musselmänner, or dummies, ghosts and living corpses, each author also provides examples of ways in which total domination was not achieved, or at least not completely achieved, by pointing to examples of the survival of moral life in the camps. In Levi’s text, morality is very much tied with the ability to speak multiple languages, and the ways in which this ability allowed not only for personal survival, but also for mutual aid in the camp. Delbo’s

¹⁶³ In this she also confirms Arendt’s description of those who are totally dominated in the camps as “living corpses.” OT, 451.
¹⁶⁴ Delbo, “The Dummies,” in Auschwitz and After, 17-19
¹⁶⁵ “Alice’s Leg,” 41
¹⁶⁶ “The Next Day,” 33.
¹⁶⁷ “Mado,” 267.
account is characterized by intense descriptions of the solidarity and companionship that existed between herself and her female companions, which she claims contributed to her personal survival, in and through the mutual aid it made possible. Levi describes Auschwitz as “a perpetual Babel, in which everyone shouts orders and threats in languages never heard before, and woe betide whoever fails to grasp the meaning.” This description reflects the fact that many languages were spoken there, and also the immense confusion this caused. It also reveals the way in which understanding various languages made survival and mutual aid possible, in a very practical way. If the prisoners could not understand the guards, who spoke German, they suffered the consequences of not obeying orders. Levi explains,

The greater part of the prisoners who did not understand German- that is, almost all of the Italians- died during the first ten to fifteen days after their arrival: at first glance, from hunger, cold, fatigue, and disease; but after a more attentive examination, due to insufficient information.

In addition, if the inmates could not communicate with those around them, (who came from regions across the occupied territories, and spoke many different languages), they

168 Survival in Auschwitz, 38.
169 In her Disappearing Traces, Glowacka explains how Levi alludes to the mass confusion this “perpetual babel” caused by inserting untranslated words throughout his narrative. “The descriptions of the everyday goings on of the camp are punctuated by German words and phrases that are left untranslated and intrude on every page: (33, 70). To every question a Häftlinge [the word used in Levi’s texts for prisoners at the camp] must reply Jawohl because in the camp there is kein warum (29). When occasionally Levi provides a translation in parentheses, its function is to exacerbate the deadly power of the German’s words: “a diagnosis of ‘dicke Füsse’ (swollen feet) is extremely dangerous.”

84.

170 The Drowned and the Saved, 93. Another indication of the importance of language for survival is evidenced by the fact that Levi describes his fellow inmates in terms of the languages they speak. “Rabbi Mendi from Russia, for instance, speaks seven languages, while all the Italian Jews who are mainly secular do not even know Yiddish or Hebrew, are helpless and mute.” Disappearing Traces, 84.
could not help one another in this regard. Therefore, in addition to contributing to personal survival, knowing German, and also other languages, allowed for the possibility of mutual aid in the camps, and for the survival of the moral person.

In her analysis of the role of language in Levi’s text, Dorota Glowacka argues, “In Levi’s account, fluency in camp languages, when it is employed to aid other inmates, is emblematic of a person’s moral backbone and human dignity.” She points to two characters from Levi’s account who use their knowledge of languages to assist others. The first is Jean the Piccolo, who “uses his knowledge of both French and German to protect the members of his work detail.” The second is Levi’s companion in the camp, Alberto, who, although he doesn't understand German or Polish, understands the commands of the guards in these languages, and helps others to understand and obey them. Without this knowledge, it would have been impossible for these people to offer such mutual aid to their fellow prisoners. Thus,

[T]ranslation functions in Levi’s narrative as an emblem of remaining human under circumstances in which the very meaning of humanity seems to have collapsed. True translation means “translating for the other” so that he can stay alive; the ability to translate and the uses of translation seem to have profound moral implications.  

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171 This is particularly revealed in Glowacka’s analysis of what she calls the “pivotal scene in Survival in Auschwitz,” in which Levi attempts to translate Dante’s Divine Comedy into French for Jean the Piccolo, while the two of them carry the soup to feed their Kommando. Glowacka emphasizes the association of translation with survival (or nourishment), as it occurs while they are carrying the soup, and also the “redemptive moment” this scene provides, as it allows Levi not only to hear and experience Dante’s words for the first time, but also to transcend his current circumstances and to experience a sense of meaning and human dignity. In addition, Glowacka explains that Levi refrains from using German to facilitate the translation, even though both he and Jean understand it, which symbolizes a resistance “against contamination by the language that sought to eradicate them.” Ibid., 84-5.
Similar to the role of language in Levi’s text, Delbo attributes the solidarity and companionship of her fellow inmates with ensuring her survival, and also providing evidence of the survival of moral life. In fact, Delbo rarely finds herself alone throughout her memoirs, which are filled with vivid descriptions of her relationships with her fellow female prisoners. She claims that this companionship is what allowed her, and others, to maintain hope, to believe that that they might return from the camp, a hope which she sees as essential for survival, “To talk meant that we could make plans about going home, because to trust we would return was a way of forcing luck’s hand. The women who had stopped believing they would return were as good as dead.”

In one of the rare instances when Delbo does find herself alone, after her companions have been forced to march on and leave her behind to work in a ditch, we sense the immediate hopelessness that she experiences, and the threat this hopelessness poses to her survival, “I continue digging a while longer, scooping two of three spadefuls of soil. It is too hard. As soon as you find yourself alone you think: What good does it do? What’s it all for? Why not give up…Better die now, on the spot. Only surrounded by the others is one able to hold out.”

Perhaps the most striking example of mutual aid in Delbo’s text appears in the poem “Thirst,”

I’d been thirsty for days, thirsty to the point of losing my mind, to the point of being unable to eat since there was no saliva in my mouth, so thirsty I couldn't speak, because you’re unable to speak when there’s no saliva in your mouth. My parched lips were splitting, my gums swollen, my tongue a piece of wood. My swollen gums and tongue kept me from closing my mouth, which stayed open like that of a mad woman with dilated pupils in her haggard eyes. At least that is what the others told me, later. They thought I’d lost my mind. I couldn't hear anything,

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172 “Lulu,” 102.
173 Ibid., 104.
see anything. They even thought I had gone blind. All my senses had been abolished by thirst.\(^{174}\)

In response to the dire situation of their friend, Delbo’s companions come together to save her life. They do this by organizing amongst themselves some bread to ration off in exchange for a pail of water at a work detail where they were planting trees. Of course, this also required helping Delbo to walk and continuously concealing her grave condition from the Kapos until she received the water, and also breaking away from the group during the work detail, at great risk to themselves.

Levi and Delbo therefore seem to present evidence that both confirms and challenges Arendt’s argument that total domination was achieved in the camps. One potential way that Arendt might respond to this evidence of the survival of moral life in the camps is to claim that total domination is, as we have seen, a process. Thus, it could be argued that these texts represent various persons at various stages in the process of total domination. Although their judicial persons might have been destroyed (this is certainly the case since they had been denied civil rights before being admitted to the camp), their moral person might still be intact. Nevertheless, what these texts offer that Arendt’s analysis is missing is a glimpse at the potential resources for confronting, or even for resisting total domination. In Levi’s text, it is the ability to speak various languages that allows for this resistance, in Delbo’s, it is solidarity and companionship.

Regardless of whether we conclude that total domination was achieved, or was always completely achieved in the concentration camps, the question remains as to whether this domination was in fact, as Arendt argues, unprecedented. In other words, is

\(^{174}\) “Thirst,” 142.
it the case that the *Musselmänner*, or the destruction of the judicial, moral, and individual persons, were phenomena that occurred for the first time in the concentration camps and killing centers of the totalitarian regimes?

One scholar who provides a response to this question is philosopher Giorgio Agamben. In his *Remnants of Auschwitz: The Witness and the Archive*, Agamben relies largely on survivor testimony, particularly Levi’s, in order to confirm the reality of the *Musselmänner* within the concentration camp system. Like Arendt, he emphasizes the centrality of the camp system within the Nazi state, as well as the way in which the “experiment” of Auschwitz, and the *Musselmänner* call into question our traditional understanding of human beings,

Before being a death camp, Auschwitz is the site of an experiment that remains unthought today, an experiment beyond life and death in which the Jew is transformed into a Muselmann and the human being into a nonhuman. And we will not understand what Auschwitz is if we do not first understand who or what the Muselmann is if we do not gaze with him upon the Gorgon.

Although Agamben seems to confirm Arendt’s claim that total domination was achieved, claiming that the *Musselmänner*, “marks the threshold between the human and the inhuman,” in his earlier book, *Homo Sacer: Sovereign Power and Bare Life*, Agamben uses Michel Foucault’s notion of biopolitics to argue that the *Musselmänner*, who have been reduced to “bare life,” or totally dominated, are in fact not a new phenomenon, or something which emerged for the first time with totalitarianism, but something which has been central to western politics since its inception, although it has

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177 Ibid., 55.
reached a new and unprecedented application with the institution of the concentration camp.

Agamben uses the ancient Greek concept of *zōē* in order to explain the significance and meaning of “bare life.” In its original context, *zōē* “expressed the simple fact of living common to all living beings (animals, men, gods).” This kind of unqualified life is concerned with survival and reproduction, and is distinguished from *bios*, or political life. Agamben, *Homo Sacer: Sovereign Power and Bare Life* (Stanford University Press, 1998), 1-3.

The exclusion of *zōē*, or bare life, from the political life of citizens, is one we find reflected in Arendt’s *HC*. Here, Arendt argues that the private sphere of the household is where human beings are concerned primarily with the “maintenance of life,” and where “men lived together because they were driven by their wants and needs.” Community in the private realm is therefore “born of necessity, and necessity ruled over all activities performed there.” By contrast, the public realm, which men could enter only if they had appropriately mastered the necessities of life, was the sphere of freedom, where equality (vs. the inequality that dominated the private realm of the household), was achieved, and where one could exercise their capacities for speech and action amidst a plurality of diverse opinions and perspectives, and therefore, engage in politics.

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179 *HC*, 30.
180 Ibid., 30-31. This is also made clear in *OT*, where Arendt argues, “Since the Greeks, we have known that highly developed political life breeds a deep-rooted suspicion of this private sphere, a deep resentment against the disturbing miracle contained in the fact that each of us is made as he is- single, unique, unchangeable. This whole sphere of the merely given, relegated to private life in civilized society is a permanent threat to the public sphere, because the public sphere is as consistently based on the law of equality as the private sphere is based on the law of universal difference and differentiation. Equality, in contrast to all that is involved in mere existence, is not given us, but is the result of human organization insofar as it is guided by the principle of
This distinction between “bare life” and political life, or the private and the public spheres, assumes that the existence of the latter depends on the exclusion of the former. In her critique of modern society, Arendt emphasizes the importance of this separation, by lamenting the fact that the private concerns of the household have begun to be taken up in the political realm, thus contaminating it. She sees this as exemplified in the way in which we have increasingly become a society of laborers, concerning ourselves primarily with survival and the continuation of the life processes, at the expense of making, which, as we have seen is necessary in order to establish a public sphere, and acting, which, as we have seen is the highest of the human activities.\textsuperscript{181}

In his \textit{The History of Sexuality}, Foucault (although he does not refer to Arendt’s work in his writings), goes a step further than Arendt and claims that the politicization of \textit{zoe} is the very essence of the modern political structure and order. This entails a shift away from the ancient political order, in which a sovereign ruler exercised the power of life and death, the power to decide who lived and who died, or, “the right to \textit{take} life or \textit{let} live.”\textsuperscript{182} Since the classical age, however, power has ceased to be the power of “deduction” or the power to take life, and has become the power over life, the power to promote and preserve life. In other words, life itself and the maintenance and administration of the life processes (birth, sickness, death, etc), has become the subject and the foundation of modern politics. According to Foucault, “The old power over life

\textsuperscript{181} HC, 33-35.
was now carefully supplanted by the administration of bodies and the calculated management of life,” which he calls biopolitics.\textsuperscript{183}

In taking up Arendt and Foucault, Agamben argues that it is not only modern politics which is characterized by the politicization of \textit{zoe}, or bare life, but that the entire western political tradition has been biopolitical in nature. However, the modern political order, in which he sees the camp (rather than the city), as the \textit{nomos}, is distinct in that it is the sovereign power that decides upon the “state of exception,” or, on who constitutes the category of “bare life.”\textsuperscript{184} Thus, this category no longer refers simply to those who stand outside of the political order, either physically or because of their relegation to the household and inability to master necessity, but whoever is defined as such by the sovereign. Within this context, those who are politically reduced to bare life by being excluded from the public sphere become what he calls \textit{Homo Sacer}.

\textit{Homo Sacer}, or sacred man, is the one “who may be killed but yet not sacrificed.” This is because, having been excluded from political life and thus reduced to bare life, they are no longer granted the protection of the state, and can be killed without legal penalty. In addition, because they are merely bare life, their life has no value that could contribute to ritualistic purposes.\textsuperscript{185} According to Agamben, those who lived in the camps constituted this category. Like the exiles of ancient Roman society, they were reduced to bare life (as we have seen, in Arendt, by removing their civil rights, or killing their judicial person), and therefore, excluded from political life as such, or \textit{bios}.

\textsuperscript{183} Ibid., 139-40.
\textsuperscript{184} In this, Agamben relies heavily on Carl Schmitt’s description of the sovereign as the who decides on the state of exception. Carl Schmitt, \textit{Das nomon von der Erde} (Berlin: Duncker & Humbolt, 1974), 67.
\textsuperscript{185} Homo Sacer, 8.
Like Foucault, Agamben argues that *Homo Sacer* is excluded from *bios* (as this Roman example demonstrates), and also indispensably included in it (which we see in the politicization of bare life in Foucault’s analysis). Once the “state of exception” is defined, their bare life is not only politicized, in the sense that it is supervised and administrated, it also becomes an integral part of the political order itself. In other words, the “state of exception” of bare life provides the hidden ontological structure against which the legal and political order are founded and maintained. Within the state of exception, *zoē* and *bios* therefore become intimately related, as the inclusion/exclusion of the former is necessary for the maintenance of the latter. Thus, the modern biopolitical state is founded on the paradoxical inclusion/exclusion of “bare life,” or, those who have been reduced to bare life, *Homo Sacer*. Agamben explains, “At once excluding bare life from and capturing it within the political order, the state of exception actually constituted it, in its very separateness, the hidden foundation on which the entire political system rested.”\(^{186}\)

Because Agamben argues that the concentration camps, and the *Homo Sacer* who populated them, are both a continuation and a culmination of the modern political structure, and did not emerge for the first time with the advent of totalitarianism and the total domination of man in the camps, he challenges the radical unprecedentedness that Arendt ascribes both to the camps and to total domination. However, the camps and the *Musselmänner* are still distinct from and within the western political tradition, in that the camps are identified as the *nomos*, or the “most absolute biopolitical space that has ever been realized, in which power confronts nothing but pure life, without any mediation.”\(^{187}\) They thus become the “paradigm of political space” the “hidden matrix” of modern

\(^{186}\) Ibid., 9.

\(^{187}\) Ibid., 171.
political life. In this way, his analysis comes closer to the definition of
unprecedentedness I have worked with in this chapter, in that it reveals the potentiality of
totalitarian domination, once it has become a reality.

Agamben’s appropriation of Foucault and Arendt also challenges the superfluidity
that Arendt claims was achieved throughout totalitarian society, particularly in the camps,
where total domination was achieved. According to Arendt, this superfluidity entailed
that all members of totalitarian society became completely expendable in the service of
the laws of nature or history. Thus, those who are totally dominated (as well as those who
totally dominate them), are expendable, replaceable, and ultimately unimportant for the
regime. By contrast, Agamben insists that, as the exclusionary state upon which the
modern political state is built, bare life, or Homo Sacer, is central for the maintenance of
modern political power. Thus, even in its exclusion, bare life exists in a very intimate and
necessary relationship with modern sovereign power.

Where Agamben’s analysis reveals a potential limitation of Arendt’s account of
total domination is in his engagement with the Musselmänner in terms of ethics. In her
description of the totally dominated “human beings” of the camps, Arendt seems to place
them somehow outside of the human species, more animal-like that human. As
previously indicated, this compels her to rethink our conventional understandings of
human nature. However, whether Arendt provides us with an accurate formulation of
what our ethical responsibility is towards those who are totally dominated is not clear.
We begin to see an engagement with this question in her critique of human rights (which
I will explore further in the next section of this chapter), which she argues do not apply to

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those who have been rendered stateless, or denied the protection of civil rights (as we have seen, this is the first stage in total domination: the destruction of the judicial person). However, as I will demonstrate, Arendt is quite vague on how we are to respond to the reality of those who exist in the “state of exception,” or how we are to guarantee them human rights, or what she calls “the right to have rights,” thus assuming an ethical responsibility towards them and their fate.

Agamben, by contrast, argues not only that the reality of the Musselmänner have called into question our traditional formulations of human nature, but also that this challenge must be responded to by completely reformulating our conception of the human being based on the unprecedented event of the total domination of man, the creation of the Musselmänner; or, the reduction of human beings to “bare life.” This reformulation does not end with a claim that we can no longer think of the human being as defined by an innate essence, but insists that any formulation of ethics must begin with the Musselmänner, where human dignity, as we have traditionally conceived of it, ends. Agamben explains,

This is also why Auschwitz marks the end and ruin of every ethics of dignity and conformity to a norm. The bare life to which human beings were reduced neither demands nor conforms to anything. It itself is the only norm; it is absolutely immanent. And “the ultimate sentiment of belonging to the species” cannot in any sense be a kind of dignity. The good news that the survivors were able to save from the camp- if there is any sense in speaking of “good” here- is therefore not dignity. On the contrary, the atrocious news that the survivors carry is precisely that it is possible to lose dignity and decency beyond imagination, that there is still life in the most extreme degradation. And this new knowledge now becomes the touchstone by which to judge and measure all morality and dignity. The Muselmann, who is its most extreme expression, is the guard of the threshold of a new ethics, an ethics of a form of life that begins where dignity ends.

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189 Remnants of Auschwitz, 69.
190 Ibid.
While these considerations provide a thoughtful and relevant critique or challenge to Arendt’s representation of total domination as unprecedented, I would argue that they also miss a fundamental aspect of Arendt’s analysis of totalitarianism. Agamben’s analysis is based on his own study of *Homo Sacer* within the history of the modern political state. In fact, although his analysis is ultimately about the tendencies of modern politics, he goes further than Foucault in arguing that biopolitics is an ancient phenomenon, and that the modern paradigm is simply its continuation or culmination. Therefore, when Agamben criticizes Arendt for not making the connection between her identification/ critique of the politicization of bare life in *HC*, and her account of total domination in *OT*, he is assuming that she also sees totalitarianism as the culmination or continuation of tendencies inherent in modern politics, or at least in modernity more generally.

However, what Agamben fails to consider is the fact that the context addressed by Arendt, totalitarian domination, is essentially the destruction of the political realm as such, at least as far as she understood it. This is evidenced particularly by the ways in which terror and ideology make plurality, and therefore also action, impossible. It was these characteristics, and the public realm that made them possible, and not simply the existence of a nation or a state, that marked the existence and possibility of politics for Arendt. Thus, exploring how “bare life” is decided upon by a sovereign and paradoxically included and excluded in politics, is essentially a different question than Arendt’s, who asks how totalitarian regimes targeted and destroyed man’s capacity for

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191 *Homo Sacre*, 4.
spontaneous thought and action, man’s natality, in a context where the totalitarian state remained, but politics as such was made impossible.

Evaluating Arendt’s Representation of the Holocaust: Reconciliation

In examining whether Arendt’s representation of the Holocaust, or totalitarianism, or the total domination of man, as unprecedented, functions to fulfill the criteria of reconciliation, I will be asking whether it functions to make the Holocaust comprehensible by identifying the factors that made it possible and actual, and whether it identifies the processes, methods, and devices, that functioned to implicate people at various levels of society.

Because Arendt embarked upon her analysis of totalitarianism in light of her ultimate goal of understanding, this analysis entails her own attempt to attentively face up to the reality of totalitarian domination. Her confrontation with the systemic evil of totalitarianism is therefore essentially an attempt to identify and analyze the “elements” that “crystallized” into totalitarianism in order to make it a comprehensible reality. The detailed description she provides of these factors, or elements, such as imperialism, “antisemitism, decay of the nation state, racism, expansion for expansions sake, alliance between capital and mob,” identifies the ways in which they made totalitarianism possible and actual, although not inevitable and necessary. In this way, Arendt’s representation of totalitarianism as unprecedented functions to make the Holocaust, or totalitarianism, a comprehensible reality. We can identify the factors that made it possible and actual, and we can examine and analyze how it happened.

In addition to identifying the factors that made totalitarianism possible and actual, Arendt’s analysis also identifies the methods and devices whereby people from across totalitarian society were implicated in its policies and goals. Foremost among these devices were ideology and terror. By making the mind immune to thought and experience, and by eliminating plurality and making action impossible, ideology and terror not only made resistance impossible, or as we shall see, certainly improbable, but also implicated people from across society in its policies and goals, by making them superfluous, expendable and exchangeable in the service of the regime. Thus, the systemic evil of totalitarianism, through terror and ideology, implicated various people for a variety of reasons.

Within the camps, where Arendt argues that total domination was completely achieved, the implication of human beings (or, of those who were totally dominated), in the policies and goals of the regime reached an unprecedented level. Here, it was not only resistance and action that were made impossible, but, through the systematic destruction of the juridical, moral, and individual persons in man, all spontaneity and unpredictability as well. Thus, incapable of introducing the new into the world, reduced to a predictable product of their environment, the totally dominated individuals in the camps were not only implicated in the policies and goals of the regime, but were, if we agree with Arendt, the “personification” of the ultimate goal of total domination, and the proof that “everything is possible.”

Because Arendt identifies the factors that made the Holocaust possible and actual, and because she describes the devices and processes that implicated people in totalitarian policies and goals, her representation of the Holocaust as unprecedented seems to satisfy
the criteria of reconciliation. The possibility therefore arises that Arendt’s representation of totalitarianism as unprecedented allows for the reconciliation that she ultimately sought between herself and the world in which the unprecedented event of total domination had become a reality. However, if we examine Arendt’s representation a bit more closely, we find two factors that complicate this reconciliation, and also Arendt’s ultimate goal of understanding: the concentration camps and radical evil.

As indicated previously, and as evidenced in Arendt’s interview with Gaus, the camps were a reality that Arendt explicitly claimed she could not reconcile herself to. Thus, although she provides us with a detailed analysis of the processes whereby human beings were totally dominated in the camps, (through the systematic destruction of their juridical, moral, and individuals persons), a process which she claims was “entirely comprehensible and transparent,” the camps themselves still remain somehow beyond the limits of comprehension and understanding. This is further reflected in Arendt’s essay “Social Sciences and the Techniques of the Concentration Camps,”

[T]he institution of the concentration and exterminations camps, that is, the social conditions within them as well as their function in the larger terror apparatus to totalitarian regimes, may very likely become that unexpected stumbling block on the road toward the proper understanding of contemporary politics and society which must cause social scientists and historical scholars to reconsider the hitherto unquestioned fundamental preconceptions regarding the course of the world and human behavior.\(^{193}\)

One of the primary reasons why Arendt claims that the camps resist comprehension is that they defy our “common sense judgments,” which operate according to a utilitarian framework. Even within the totalitarian context, Arendt argues the camps defied logical reasoning, in that they actually functioned against the ultimate

\(^{193}\) “Social Sciences and the Techniques of the Concentration Camps,” in *Essays in Understanding*, 232.
goal of the regime, to put into motion the laws of nature or history, by impeding or
hindering the free movement of these laws. Thus, they confound our logical (and
utilitarian) reasoning. Arendt explains,

For the truth was that while all other anti-Jewish measures made some sense and
were likely to benefit their authors in some way, the gas chambers did not benefit
anybody. The deportations themselves, during a period of acute shortage of
rolling stock, the establishment of costly factories, the manpower employed and
badly needed for the war effort, the general demoralizing effect on the German
military forces as well as on the population in the occupied territories- all this
interfered disastrously with the war in the East, as the military authorities as well
as Nazi officials, in protest against the SS troops, pointed out repeatedly. Such
considerations, however, were not simply overlooked by those who had put
themselves in charge of extermination. Even Himmler knew that in a time of
critical shortage of labor, he was eliminating a large amount of workers who at
least could have been worked to death instead of being killed without any
productive purpose. And the office of Himmler issued one order after another
warning the military commanders as well as the officials of the Nazi hierarchy
that no economic or military considerations were to interfere with the
extermination program.194

The fact that the camps remain beyond comprehension and reconciliation, which, as
demonstrated in my introduction, is a fundamental part of Arendt’s concept of
understanding, reveals that they present a challenge to her fundamental goal, and also to
the criteria of reconciliation.

The second factor that presents a challenge for reconciliation and understanding is
Arendt’s engagement with radical evil. As indicated previously, Arendt maintains that the
radical evil that emerged when human beings were totally dominated in the camps cannot
be “tempered” by forgiveness or punishment, the two “remedies” to the uncontrollability
and irreversibility of action. This implies that we are left with the consequences of radical
evil, and cannot move beyond them in a tangible way. The result of Arendt’s argument

\[194\] Ibid., 236.
that Nazi crimes are unpunishable and unforgiveable is, therefore, that we cannot be free of them, that “We remain subject to the unfolding consequences of these acts- whose ultimate effects remain to be seen.”

Although the unforgiveable and unpunishable nature of radical evil seems to make it an obstacle for reconciliation, we must remember that Arendt was careful to distinguish understanding from forgiveness, and to argue that reconciliation has nothing to do with forgiveness. Because she does not understand reconciliation as occurring between two people, a perpetrator and a victim, or perhaps a second generation perpetrator or victim, between two groups, or even between two countries, her representation does not allow for an engagement with the personal forgiveness that has allowed many survivors and perpetrators of genocide to move forward in their lives. Nevertheless, whether or not such personal forgiveness is a possibility, or can have such an effect, is also debated in the field of Holocaust and Genocide Studies.

This is perhaps exemplified most famously in Simon Wiesenthal’s *The Sunflower*. Here, he recounts his personal experience of being called to the bedside of a dying SS officer while incarcerated at a labor camp. The officer asked Wiesenthal for forgiveness for his murderous actions against the Jews. Although he believed the man to be repentant, Wiesenthal responds by leaving the room quietly. The many essays that have been written and attached to this preliminary portion of *The Sunflower*, (in the 1997 edition there are over fifty-three, including contributions from the Dalai Lama and Desmond Brandes, “When Everything is Possible,” 177. A similar conclusion is reached by Young-Bruehl, “She had ended OT with a forceful rejection of any reconciliation with a world in which incomprehensible, unpunishable and unforgiveable- radical evil- exists,” 261
Tutu), reflect the many issues associated with forgiveness in this context, ranging from its impossibility to its necessity.

The contentious nature of the possibility and the effect of forgiveness is also particularly reflected in the case of Rwanda, where perpetrators and victims of the 1994 genocide have continued to live as neighbors. In an effort to promote the state’s official goal of “reconciliation,” the Gacaca (translation- “grass”) community courts emerged in 2002. These courts were designed to mete out punishment to the perpetrators and allow a public space for confession and apology to the victims of the genocide. In most cases, this process also included a personal offer of apology and request for forgiveness from the perpetrator to the victim, who they often left for dead, or who directly witnessed the murders of their close relatives by the perpetrator.196

Some studies suggest that such requests for forgiveness have been instrumental in allowing both parties to move forward and rebuild their lives in the aftermath of the genocide.197 Others have suggested that these confessions and requests for apology

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196 Originally established in 2002, there were initially several reports of corrupt judges in these courts, as well as a staggering degree of murders of survivors who were meant to testify against perpetrators. The courts were reconvened in 2008 and tried over 12,000 cases, with a high degree of public participation. Philip Gourevitch, “The Life After: Fifteen years after the genocide in Rwanda, the reconciliation defies expectations,” The New Yorker, May 4, 2009, http://www.newyorker.com/magazine/2009/05/04/the-life-after

197 For example, in “Portraits of Reconciliation,” by photographer Peter Hugo, commissioned by Creative Court (The Hague), and undertaken with the cooperation of AMI (Association Modeste et Innocent- A non-profit organization that brings together small groups of Hutus and Tutsis in Rwanda in a process that culminates in the perpetrator’s formal request for the forgiveness of their victims), we see tangible evidence of the transformative power of forgiveness in these people’s lives, both the perpetrators and the victims. Each of Hugo’s photographs depicts a survivor and a perpetrator standing side-by-side. In most cases, the perpetrator was involved in the murder of a family member or a child of the victim, usually witnessed by them directly. In some photographs the two touch, in some they embrace, but in all of them, and
benefit the perpetrator much more than the victim. In the Gacaca courts, for example, a full confession and request for apology results in a greatly decreased sentence. These positive effects are, in large part, lacking for the victims of the genocide, who are compelled to accept these requests for forgiveness by the state, which gained control of the Gacaca courts. In addition, these requests grossly underestimate the degree of trauma that has been caused to the victims, and therefore, rather than reconciliation, they can cause more trauma in the lives of survivors of the genocide.¹⁹⁸

The contentious nature of forgiveness in Holocaust and Genocide Studies therefore seems to support Arendt’s claim that reconciliation is not tied to forgiveness. Instead, it is what occurs (ideally), between the individual and the world in which such unprecedented evil can occur. The question therefore becomes: how do we reconcile ourselves to a world in which total domination has become a reality without reconciling ourselves to the people who were involved in this domination?

Because Arendt argues that radical evil is unpunishable, questions arise as to the possibility or efficacy of trying war criminals, or others who were complicit or involved in Nazi crimes. And yet, Arendt’s most well-known and controversial book, EJ, was a

especially in the short interviews that accompany the photographs, there is a sense of the role that forgiveness, on this intimate level, has had in allowing both parties to come to terms with their past and move forward in their lives in a constructive way. Susan Dominus, “Portraits of Reconciliation” New York Times, April 4, 2014, http://www.nytimes.com/interactive/2014/04/06/magazine/06-pieter-hugo-rwanda-portraits.html

¹⁹⁸ Regine U. King, “Healing Psychological Trauma in the Midst of Truth Commissions: The Case of Gacaca in Post-Genocide Rwanda,” Genocide Studies and Prevention, v 6, 2 (Summer 2011), 134-151. A similar conclusion is reached by Valerie Hébert, who argues “for all its good intentions to end the moral outrage of impunity, the attempt at justice in Rwanda may have further injured the victim community instead.” “From Nuremberg to Kigali: On the Necessity and the Impossibility of Post-atrocity Justice,” in Lessons and Legacies X: Reexamining Perpetrators, Victims, and Bystanders (Evanston: Northwestern University Press, 2012), 190.
report on the trial of Adolf Eichmann. In this book, and in many of Arendt’s later writings, she argues that Nazi crimes have confounded our traditional judicial system. The primary reason for this is that this system measures guilt and metes out punishment in accordance with the level of intentionality that can be established in the defendant.\(^{199}\) However, as Arendt’s analysis, not only of Eichmann but also of systemic evil and totalitarianism more generally, demonstrates, the genocide of the totalitarian systems has obscured these traditional judicial standards for assessing guilt and punishment. This is not to say that Arendt believed that these war criminals should not be tried and held accountable for their actions. In fact, as I will demonstrate in my third chapter, she defended the right of the Israeli court to try Eichmann. Nevertheless, she maintained that these new crimes, which are committed under unprecedented circumstances of systemic evil, require that we understand personal responsibility, and therefore also punishment, in new and revolutionary ways.\(^{200}\)

It therefore seems that, although Arendt’s representation of the Holocaust as unprecedented does serve to make it a comprehensible reality, by identifying the factors that made it possible and actual and the devices and methods that implicated people across society, it also presents us with some seemingly insurmountable, at least in her opinion, obstacles for the goal of reconciliation. The incomprehensible nature of the camps, as well as the unforgiveable and unpunishable nature of radical evil imply that we cannot reconcile ourselves to the unprecedented event of the Holocaust, or to the world in which it occurred in a way that might allow us to move beyond it.

\(^{199}\) \textit{EJ}, 277

Evaluating Arendt’s Representation of the Holocaust: Prevention

In considering whether Arendt’s representation of the Holocaust as unprecedented fulfills the criteria of prevention, I will ask whether it helps us to identify, confront, and prevent compliance with systemic evil, in its initial and later stages, and on the individual and international level. Before exploring the specifics of Arendt’s analysis of totalitarianism in this light, one could perhaps conclude that the goal of prevention, conceived of in this way, is implicit in the meaning I have identified for unprecedentedness. In addition to claiming that the Holocaust, or totalitarianism, is distinct from all events that preceded it, I have argued that unprecedentedness implies that it has introduced realities into our world that remain a potentiality. For Arendt, the most important of these is the total domination of man, which, although accomplished for the first time under totalitarianism, can happen again.

Perhaps the best analogy for understanding the implications of the unprecedented nature of total domination is provided by sociologist Zygmunt Bauman. In his *Modernity and the Holocaust*, Bauman argues that there are two primary ways that the Holocaust has been approached (at least at the time he wrote the book). According to the first, the Holocaust is represented as unique, completely dissimilar from everything that occurred before it, or could potentially occur after it. Thus, the Holocaust becomes a “picture on the wall: neatly framed, to set the painting apart from the wallpaper and emphasize how different it was from the rest of the furnishings.” 201 Represented in this way, the Holocaust is understood as ultimately dissimilar and “framed away” from our experience: past, current, and future. By contrast, the representation of the Holocaust as

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unprecedented sees it not as a framed picture, but instead as a window, through which we might glimpse realities that may not have been possible before, but that have become a potentiality since. Thus, it becomes a warning, a devastating depiction of the horrific potentialities and limits of human beings.\footnote{Ibid. viii.}

If the warning that is provided by Arendt’s representation of the Holocaust as unprecedented is that the total domination of man is possible, and could happen again, then the question becomes: what resources does Arendt provide for allowing us to identify, confront, and prevent the total domination of man? I believe that the most pertinent answer to this question lies in Arendt’s identification of the processes and steps that lead to total domination and the emergence of radical evil.

The first step in total domination is the destruction of the juridical person. This was accomplished even before people were admitted into the concentration camps, when Jews were defined as such (according to the Nuremberg laws), and excluded from society. In this way, they were denied citizenship, and rendered stateless. This first step is perhaps the most important step in total domination, because it entails the loss of the protection of civil rights, which guarantee each person the protection of the state. Without this preliminary step, totalitarian regimes would not be able to systematically target those deemed (by the laws of nature and history) to be, in the case of Nazi Germany, Lebensunwertes Leben (“life unworthy of life”). Arendt also claims that the destruction of the judicial person ensured that the regimes could also count on, if not the support of
the wider population, at least on their cooperation or minimal resistance in targeting these people.\textsuperscript{203}

The importance of this preliminary stage in the process of total domination is further emphasized when considered in light of Arendt’s critique of human rights,\textsuperscript{204} which she claims are intimately connected with, in fact indistinguishable from, civil rights, and ultimately enforceable only within the context of belonging to a political community. Arendt’s critique of human rights occurs prior to her analysis of totalitarianism in \textit{OT}, in the section on imperialism. This critique was occasioned not only by her analysis of total domination in the camps, but also by her encounter with the phenomenon of statelessness following the First World War.

Confronting this crisis, Arendt observed that although universal human rights were formulated in order to ascribe basic rights to human beings, they were formulated on the basis of an abstract notion of human nature, a notion that took for granted the fact that there is something innate and inviolable in human nature which guarantees them this protection. However, history has revealed to us that this formulation, and the notion of human nature upon which it was based, are flawed. This was proven first and foremost by the phenomenon of statelessness following the First World War. This phenomenon made it evident that once human beings were denied citizenship, and thus denied civil rights and the protection of the state, no one from outside of their state or from the international community intervened to guarantee them what were considered to be basic and inviolable

\textsuperscript{203} \textit{OT}, 447.

\textsuperscript{204} As well as in \textit{EA}, “The legal experts drew up the necessary legislation for making the victims stateless, which was important on two counts, it made it impossible for any country to inquire into their fate, and it enabled the state in which they were residing to confiscate their property. 115.
human rights. Thus, the loss of civil rights is tantamount to the loss of human rights.

Arendt explains,

If the human being loses his political status, he should, according to the implications of the inborn and inalienable rights of man, come under exactly the situation for which the declarations of such general rights provide. Actually the opposite is the case. It seems that a man who is nothing but a man has lost the very qualities which make it possible for other people to treat him like a fellow-man.  

The philosophical error implicit in the formulation of universal human rights was demonstrated again under totalitarianism, as Arendt argues that rendering human beings stateless was the first step to dominating them completely. Once they were denied the protection of the state, once their juridical person was destroyed, they became vulnerable to total domination, or the destruction of human nature. Thus, any kind of inalienable human nature (or “bare life”) which may have guaranteed them human rights, was revealed to be destructible, and therefore no stable basis for inalienable rights. In other words, Arendt’s analysis of totalitarianism revealed to her that “human beings are much more plastic and malleable than the philosophical tradition had suspected…. [And that], [t]here is no underlying core, soul, or substratum of ‘humanity,’ which absolutely transcends the political sphere and remains immune to its machinations,” upon which human rights could be based.  

These observations and experiences prompted Arendt to conclude that human rights are in fact only enforceable within the context of a political community. As Arendt’s understanding of plurality demonstrates, a political community is not simply, or not only, a nation, a state, or a political party, but, instead, a community that is made up

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205 OT, 300
of a diverse amount of perspectives, in which the individual has the capacity to disclose themselves in action and in speech. Thus, Arendt concludes that human rights, rather than being inalienable, can only be guaranteed by protecting and ensuring each individual’s “right to have rights,” or, their right to belong to a community in which they can appear and act, in which their life can be made meaningful and remembered. In other words,

The fundamental deprivation of human rights is manifested first and foremost in the deprivation of a place in the world which makes opinions significant and actions effective. Something much more fundamental than freedom and justice, which are rights of citizens, is at stake when belonging to a community into which one is born is no longer a matter of course and not belonging no longer a matter of choice, or when one is placed in a situation where, unless he commits a crime, his treatment by others does not depend on what he does or does not do. This extremity, and nothing else, is the situation of people deprived of human rights. They are deprived, not of the right to freedom, but of the right to action; not of the right to think whatever they please, but of the right to opinion. Privileges in some cases, injustices in most, blessings and doom are meted out to them according to accident and without any relation whatsoever to what they do, did, or may do.

In emphasizing the importance of maintaining the juridical person, or protecting the “right to have rights,” Arendt provides us with an important resource for identifying the preliminary stages of total domination within a context of systemic evil. Essentially, in any context in which a particular group of people is denied the protection of the state, total domination becomes a potentiality. However, it is debatable whether Arendt provides us with any resources that might help us to confront or prevent total domination once this initial stage is identified, on both the individual and international level.

In OT, she claims that, since we can no longer conceive of an inviolable human nature upon which to base human rights it is the responsibility of humanity in general to guarantee “the right to have rights.” However, she expresses doubt about how this might

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207 OT, 296.
208 Ibid.
be achieved, and whether or not it is in fact possible.\textsuperscript{209} Perhaps not surprisingly, critics have criticized Arendt for not providing us with the clues for how we are to go about guaranteeing the “right to have rights,” and for not providing any alternative understanding or basis for human rights.\textsuperscript{210}

An important contribution to this topic is provided by Peg Birmingham’s recent publication, \textit{Hannah Arendt on Human Rights: The Predicament of Common Responsibility}. Birmingham claims that Arendt has not only provided us with the resources for securing our “right or have rights,” but also that her “entire work can be read as an attempt to work out theoretically this fundamental right to have rights.” Birmingham therefore argues that “readers of Arendt have failed to grasp that one of her [Arendt’s] primary concerns, beginning with \textit{The Origins of Totalitarianism}, is the working out of a theoretical formulation for a reformulation of the modern notion of human rights…rooted in a principle of common humanity.”\textsuperscript{211}

In her summary and analysis of Arendt’s critique of human rights, Birmingham affirms Arendt’s rejection of an innate or unchangeable human nature, and therefore also the possibility that such a nature could be the foundation for human rights. Instead, Birmingham argues that Arendt posits natality as the foundation of the “right to have

\begin{itemize}
\item[\textsuperscript{209}] “For contrary to the best-intentioned humanitarian attempts to obtain new declarations of human rights from international organizations, it should be understood that this idea transcends the present sphere of international law which still operates in terms of reciprocal agreements and treaties between sovereign states; and, for the time being, a sphere that is above the nations does not exist.” \textit{OT}, 298.
\item[\textsuperscript{210}] For example, Benhabib argues, “by withholding a philosophical engagement with the justification of human rights, by leaving ungrounded her own ingenious formulation of the “right to have rights,” Arendt also leaves us with a disquiet about the normative foundations of her own political philosophy.” \textit{The Reluctant Modernism of Hannah Arendt}, 82.
\end{itemize}
rights.” As we have seen, Arendt understands natality as the human capacity to begin, to introduce the new into the world, a capacity which is evidenced and simultaneously made possible by our birth, and also by the plurality of the public realm, which makes action possible. Birmingham claims that this understanding of natality is the one we find in *The Human Condition* and *On Revolution*, where it is contrasted with zoe, or pure/natural life.\(^{212}\)

However, according to Birmingham, this emphasis on natality as the new beginning, and its association with the public realm is not the only aspect of natality that we find in Arendt’s writings. In earlier writings, particularly *OT*, Birmingham argues that Arendt engages natality as that which is given. Like natality, this givenness is also interpreted in two different ways in Arendt’s writings. According to the first interpretation, givenness corresponds to the concept of zoe, or natural life, which is excluded from the public sphere. According to the second interpretation, givenness refers to the “disturbing miracle of the given,”\(^{213}\) and includes all of the “inescapable facts of our existence,”\(^{214}\) such as gender, nationality, and religion, which are not chosen and cannot be altered. Because the public realm, and the equality it makes possible, depends upon a variety of diverse perspectives, this givenness, the “whatness,” of our existence, (as opposed to the “who” that is disclosed in speech and action), not only makes plurality possible, but also allows for the possibility and unpredictability of action, and thus, also

\(^{212}\) Ibid., 170-1.
\(^{213}\) Ibid., 75.
\(^{214}\) Arendt to Scholem, “Eichmann in Jerusalem,” 53; Birmingham, 71.
for the beginning inherent and implicit in natality. Thus, giveness “is at the very heart of human plurality and is the condition for human action.”

Birmingham’s interpretation of Arendt’s reformulation of human rights and the “right to have rights” therefore assumes not only that all people be granted the capacity to participate in a plural realm, but also that they be able to do so as they are.

Because the right to have rights includes the principle of giveness, understood as the appearance of nonrepresentational and unqualified existence, the right to have rights includes the principle of giveness, understood as the appearance of nonrepresentational and unqualified existence, the right to appear of each embodied singular individual who as such remains inherently alien and foreign, isolated from all group identities.

The “right to have rights” is therefore based not on an abstract notion of human nature, but on both the capacity to begin and the inescapable (given) facts of our existence, without which plurality and natality would not be possible. The right of all people to appear in the public sphere therefore needs to be protected if human rights, or the “right to have rights” is to be affirmed. Birmingham therefore concludes, “The right to have rights is not a sacred right bestowed from beyond; it is a human right that emerges from the event of natality itself. It is, so to speak, a birth right and not a natural right; it demands that unqualified human existence rightly belong to and be protected by the political space.”

In positing natality, in terms of both givenness and newness, as the foundation of “the right to have rights,” Birmingham further emphasizes the importance of plurality for the maintenance of the public realm. Thus, in attempting to identify, confront, and

215 Birmingham, 73.
216 Ibid., 91.
217 Ibid., 92.
prevent our own compliance with systemic evil, at least in its initial stages, at both the individual and international levels, we are called to resist the exclusion of any person, or people, from the public realm. Even in cases where these people are not necessarily denied civil rights (or, as we have seen, according to Arendt, also human rights), their exclusion from the plurality of the public realm needs to be resisted, as it is not only a preliminary stage in systemic evil and (potentially) total domination, but also threatens our own capacity for natality, by diminishing the plurality of the public realm in which we speak and act.

Although Arendt’s representation of totalitarianism as unprecedented could be said to provide the resources to help us to identify, confront, and prevent our own compliance with systemic evil in its initial stages, I argue that it does not provide many resources for doing so in later stages of systemic evil. When considered in the context of her own analysis of totalitarianism, for example, there seems very little possibility for resistance or confrontation with systemic evil, particularly after people have been admitted to the concentration camp system. Because the camps, as Arendt tells us, were isolated from the rest of society, and because most people did not have access to them, they represent the culmination of policies whereby many people were implicated, but also the point at which most people ceased to have any influence. In addition, because the totalitarian context was one in which the public realm as such was destroyed, the question arises as to whether any form of resistance or opposition was possible for those who had been rendered superfluous, or, ideally, totally dominated.

When considered outside of the totalitarian context, and in light of our own experiences of systemic evil, I would also argue, along with Arendt’s critics, that her
critique of human rights does not offer much concrete guidance on how we can intervene, either on an individual or international level, in order to guarantee those who have been rendered stateless “the right to have rights.” In her reformulation, Birmingham proposes that this can be achieved by abandoning traditional understandings of sovereignty, in favor of an “international politics,” that is based on the plurality of nations (which, in turn, are limited in their power by their belonging to this collective), and a rethinking of citizenship according to the giveness and newness that she sees as essential to Arendt’s concept of natality. However, while such changes and rethinkings may be possible on the individual level, they seem fairly idealistic in terms of international policies and politics.

It therefore seems that Arendt’s representation of the Holocaust, or total domination, as unprecedented may function, at least preliminarily, to fulfill the criteria of prevention. It does this, first and foremost, by allowing us to identify the preliminary stages of systemic evil, the death of the juridical person, or the denial of civil/ human rights to a defined group. Taking Birmingham’s analysis into consideration, it may also help us to confront this preliminary stage, by insisting on intervention at the personal and international level, whenever the diversity of the public realm, which makes action (and therefore also the spontaneity and natality that total domination targets) possible, is threatened. In cases where total domination has progressed beyond this initial stage, or in cases, such as the totalitarian context, where terror and ideology have rendered human beings superfluous, it seems that Arendt offers little guidance on how to confront or respond to systemic evil by guaranteeing the “right to have rights.”

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218 Birmingham, 134-5
219 Ibid., 81.
Chapter Three

Adolf Eichmann and the Banality of Evil

The second aspect that I have identified of Arendt’s overall representation of the Holocaust is her claim that the evil that she saw exemplified by Eichmann in the courtroom in Jerusalem was “banal.” Arendt came to this conclusion in the process of writing a series of five reports on Eichmann’s trial in 1961 for The New Yorker, which were subsequently published as a book entitled Eichmann in Jerusalem: A Report on the Banality of Evil (EJ). Raul Hilberg was likely correct in his assessment that the subtitle of this book “has the rare distinction of being recalled more clearly than the main one.”

This subtitle, and the phenomenon it signifies, also generated, and continue to generate, much misunderstanding and outrage.

Assessing and evaluating this aspect of Arendt’s representation of the Holocaust is complicated not only by the immense controversy that Arendt’s report incited, but also by the mythology that has developed around Eichmann. David Cesarani, one of Eichmann’s most prominent biographers, claims that this mythology revolves around two poles. One side views Eichmann as a bloodthirsty, ideologically motivated and committed Nazi. The other side views him as a mindless bureaucrat, who only followed


\[221\] I will explore this controversy in this chapter, it is also surveyed by Young-Bruehl in chapter three of Hannah Arendt: For Love of the World, “Cura Posterior: Eichmann in Jerusalem,” 328-378.
orders and never identified with the spirit behind them or the goal to which they contributed.\textsuperscript{222}

In her recent book \textit{Eichmann Before Jerusalem: The Unexamined Life of a Mass Murderer}, Bettina Stangneth argues that the first pole of this mythology was already prominent during Eichmann’s career in the Third Reich, and that he himself was instrumental in perpetuating it.\textsuperscript{223} Although Eichmann’s reputation as particularly brutal, evidenced by nicknames he was given such as the “czar of the Jews,” and the “bloodhound,” was perhaps exaggerated at the time, Eichmann also relished his notoriety, and boasted of his (inflated) reputation to his colleagues and superiors.\textsuperscript{224} This boasting remains evident in post-war materials that are only now fully emerging in a collection called the “Argentina Papers.” This includes a series of interviews with Eichmann conducted by Willem Sassen, an ex-Nazi journalist, in Argentina beginning in April of 1957;\textsuperscript{225} as well as Eichmann’s own writings, which include extensive notes on the Sassen interviews, and a manuscript entitled “\textit{Die anderen sprachen, jetzt will ich sprechen!”} (\textit{The Others Spoke, Now I want to Speak}).\textsuperscript{226}

\begin{footnotes}
\textsuperscript{224} Citing the Sassen interviews, Stangneth also claims that Eichmann even boasted of having coined the term “Final Solution” himself, 31.
\textsuperscript{225} These interviews were published in two subsequent issues of \textit{Life} Magazine on November 28 (“Eichmann tells his own Damning Story” p. 19-24; 101-112) and December 5, 1961 (“Eichmann’s own Story, Pt. II” p. 146-161).
\textsuperscript{226} Stangneth explains that it is difficult to study these manuscripts, as their various pages are scattered across various archives. In general, this collection bears witness to Eichmann’s obsession (which she claims was shared by the Nazis generally), with the written word. Stangneth argues that book burnings were a reflection of this, as they demonstrate the power the Nazis attributed to books. In addition, these writings reflect Eichmann’s desire to be known as an author (throughout his career, he claimed to be the
\end{footnotes}
During his trial, the prosecution also perpetuated this pole of the mythology surrounding Eichmann. Eichmann’s role in what the Nazis termed the “Final Solution to the Jewish Problem,” was exaggerated, and he was identified as the “executive arm for the extermination of the Jewish People.” In addition, the prosecution’s choice of witnesses, which included a hundred Holocaust survivors, many of whom had never encountered Eichmann during the war years, revealed that it was intent on establishing not (or not only) Eichmann’s guilt, but instead, the enormity of the crime of the Holocaust, which Eichmann was somehow meant to account for.

This was further evidenced by prosecutor Gideon Hausner’s opening speech, which identified Eichmann’s crimes as the culmination of a long history of Jew hatred and antisemitism, as well as by Ben Gurion’s public speech made on the occasion of the 13th Independence Day celebrations in Israel, wherein he states, “It is not an individual that is in the dock at this historical trial, and not the Nazi regime alone, but anti-Semitism

\[\text{\begin{footnotesize} Stangneth, 192-7. }
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\[\text{\footnotesize 227 Eichmann was identified in this way by head prosecutor Gideon Hausner, during his opening speech. This speech, along with the complete transcript of the proceedings of the Eichmann trial have been made accessible by the Nizkor Project, and can be accessed at http://www.nizkor.org/\]
throughout history." Thus, Eichmann became the personification of centuries of Jew-hatred, and as such, was represented as a bloodthirsty, ideologically driven, and fanatical Nazi.

The second pole of the mythology that has developed surrounding Eichmann arose particularly during and after Eichmann’s trial. Part of the reason for its development was Eichmann’s self-representation during his trial, and the representation of Eichmann by the defense. Like those brought to trial at Nuremberg, Eichmann’s primary line of defense was that he had been following orders, and that he never identified with the ideology or goals behind these orders. Thus, he was a replaceable cog in the vast machinery of destruction that was the Nazi state, and therefore cannot be held responsible for the consequences that resulted from his minute role.

This aspect of the mythology surrounding Eichmann is also partly due to Arendt’s representation of him in her report, or at least to the widespread misunderstanding of this aspect of her report. Here, Arendt claims that Eichmann was “thoughtless,” and that he “never realized what he was doing” (italics in original). Thus, many of her critics concluded that she was fooled by Eichmann’s representation of himself at his trial.

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229 This term was coined by Hilberg in his three-volume history of the Holocaust, The Destruction of the European Jews, first published in 1961. Here, Hilberg analyzes the bureaucratic and administrative apparatus that made the systematic murder of the European Jews possible and actual during the Second World War, vol. 3, p. 994.

230 E.J. 287.

231 For example, Stangneth argues “Hannah Arendt chose the method of understanding that she was familiar with: repeatedly reading Eichmann’s words and conducting a detailed analysis of the person speaking and writing, on the assumption that someone speaks and writes only when they want to be understood. She read the transcripts of his hearing and the trial more thoroughly than almost anyone else. And for
Whether or not this is an accurate assessment of Arendt and her report, (as this chapter will argue, it is not), this representation of Eichmann has continued to shape subsequent analyses of Eichmann, even at times preventing further analysis by putting the focus more on Arendt, her report, and its implications, than on Eichmann and his crimes.\(^{232}\)

The result of this complex two-poled mythology surrounding Eichmann is that it has become difficult to properly identify and assess his inner motivations. However, it could also be said that these motivations, as internal and only really known to Eichmann himself, (who, according to Stangneth, was very skilled at image-making and image manipulation),\(^{233}\) are invariably difficult to identify and assess, regardless of the mythology surrounding him. What is easier to assess is the progression of Eichmann’s career and role in the Third Reich throughout the war. Thus, before presenting how and why Arendt came to cover Eichmann’s trial, or what exactly she said in her report that caused such an uproar, I will include a brief consideration of the specifics of Eichmann’s career, capture, and trial, without including any speculations (based on writings by Eichmann, Arendt, or Eichmann’s biographers) regarding his inner motivations or antisemitic commitments.

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\(^{232}\) Stangneth xxiii, Cesarani reaches a similar conclusion, “Ironically, her book \textit{Eichmann in Jerusalem}, more than the trial itself, shaped Eichmann’s legacy. Anyone working on the subject today works in the shadow of Hannah Arendt,” 15.

\(^{233}\) Stangneth, 3-4.
Following this section, my analysis of Arendt’s claim that Eichmann’s evil was “banal” will focus particularly on the role that his conscience played, or failed to play, in his crimes, and the peculiar reversal that she claims it underwent as a result of his increasing involvement in the systemic evil of the totalitarian Nazi state. I will then consider if and how Eichmann’s banal evil constitutes a shift in Arendt’s thinking, away from her previous analysis of radical evil in *OT*.

Because the responses and criticisms of Arendt’s representation of Eichmann are many and varied, before exploring them, I will first consider some of the reasons why the debates surrounding Arendt’s report developed into a full-blown and lasting controversy. Next, I will address some of the most prominent criticisms of Arendt’s representation of Eichmann that I believe are based on a misunderstanding of her report, before turning to the one criticism that has the potential to discredit her representation of Eichmann: the claim that she was simply wrong in her assessment of him and his crimes. I will consider this criticism in light of the immense and lasting influence Arendt’s report and representation of Eichmann has had, before exploring its limitations for understanding evil, both during the Holocaust and in other contexts.

In conclusion, I will consider whether this aspect of Arendt’s representation fulfills the two criteria of reconciliation and prevention. Does it reconcile us to the Holocaust by identifying the factors that made it possible and actual, as well as the devices and methods that functioned to implicate people at various levels of society? Does it provide resources for preventing future evils, by providing resources to allow us to identify, confront, and prevent compliance with systemic evil on the individual and international level?
Eichmann and his Career

Eichmann was born in March of 1906 in Solingen, Germany to parents Adolf Karl Eichmann and Maria Eichmann. He spent much of his childhood in Linz, Austria, where his family moved in 1914. In general, he was a mediocre student with a healthy social and romantic life. After being removed from school before completing it (because of his poor grades), Eichmann worked with his father, who owned an electricity company. At the age of nineteen, he left the family business to became a travelling sales representative for the Vacuum Oil Company. In 1932, he joined the Nazi party on the recommendation of a friend and party member by the name of Ernst Kaltenbrunner.\textsuperscript{234}

Following the election of Hitler as Chancellor in Germany (January 30, 1933), and due largely to the suppression of the Nazi party in Austria, Eichmann moved to Germany (along with many other Austrian party members).\textsuperscript{235} From here, his career succeeded in a “rising trajectory,”\textsuperscript{236} as his role in the Nazi party evolved in accordance with the party’s escalating anti-Jewish policies, from emigration and expulsion, to concentration, to annihilation. At each stage, Eichmann excelled and achieved promotion in the ranks.

In his first year of service, Eichmann received military training and indoctrination at Dachau as a member of the Austrian Legion, a battalion of the SS first regiment Deutschland.\textsuperscript{237} In 1934, he joined the SD (Security Service Main Office) and moved to Berlin, where he received more military training and was charged with some clerical

\textsuperscript{234} Cesarani, 18-25.
\textsuperscript{235} Ibid., 35-6.
\textsuperscript{236} Ibid., 24.
\textsuperscript{237} Ibid., 37. Contrary to Gideon Hausner’s opening speech, wherein he indicates that Eichmann received training and indoctrination at the concentration camp Dachau, Cesarani argues that there is no evidence to support this.
work, including organizing a card index identifying Masonic organizations. This position evolved into the preparation for a museum on the “perils of freemasonry.” One of the VIP visitors of the Museum, SS Untersturmführer Elder von Mildenstein, was so impressed by Eichmann’s work at the museum that he offered him a position in an office Heydrich charged him with developing “specializing in Jewish matters.” Eichmann enthusiastically accepted.238

In 1935, following the introduction of the Nuremberg Laws, Mildenstein’s office worked towards promoting the forced emigration of Jews out of Germany, a policy it achieved by working with Zionist organizations.239 It was at this point that Eichmann became involved in the expulsion and forced emigration of Jews out of German occupied territories. As the so-called “expert on Jewish affairs,” he worked closely with Jewish leaders and gathered information on Jewish organizations. In September of the following year, he engaged in some “field-work,” which included a trip to Palestine, (although he was only granted permission by British forces to stay for 24 hours). Here, he viewed sites for planned Jewish emigration and attended meetings with Jewish leaders to discuss these

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238 Ibid., 42-3
239 In his Zionism and Anti-Semitism in Nazi Germany, Francis R. Nicosia sheds much light on the working relationship and tensions between the Nazi administrators and the Zionist leaders. Although each of these groups, at least for the period when forced emigration was the Nazi goal, rejected the assimilationist values of the enlightenment and emancipation and longed for Jewish emigration, the relationship between Zionist leaders and Nazi officials was characterized by an imbalance of power, as well as by harassment, intimidation, manipulation, and inconsistency. Thus, to say that the Nazis “worked with” Zionist leaders may imply a coordination or even collaboration which did not exist, since, for the Nazis, “Zionists were nothing more than convenient tools for facilitating the removal of Jews from Germany” (Cambridge University Press, 2010), 206.
plans. Eichmann’s actions in this office earned him the title of Untersturmführer (second lieutenant).  

In March of 1938, after the German annexation of Austria, Eichmann was sent to Vienna and put in charge of the Jewish Emigration Office “to take command of Jewish affairs.” By the end of September of the same year, his office had forced the emigration of 38,000 Jews out of Austria, and confiscated their wealth and property. In July of 1938, he was promoted to Obersturmführer (first lieutenant). Following the invasion of Czechoslovakia the next year (1939), Eichmann became the head of the emigration office in Prague and accomplished the same work there, with the same success rate.

After the invasion of Poland and the outbreak of war in September 1939, the RSHA, (the Reich Security Main Office), an amalgamation of the Security Police and the Security Service (SD- to which Eichmann belonged), was created by Himmler. Thus, Eichmann and the rest of those employed under the SD were centralized. In October of 1939, he was commissioned to head the Central Office for Jewish Emigration in Berlin. Here, he took a leading role in the eviction of over 500,000 Poles and Jews from their homes in order to make room for “ethnic Germans.”

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240 Ibid., 45-60.
241 This included inciting terror against the Jewish population, through widespread pogroms and institutions of the Nuremberg Laws. Cesarani, 62.
242 Ibid., 68.
243 Ibid., 74.
244 Hilberg explains, “The RSHA had a vast regional network, including three types of organization: one in the Reich and incorporated areas, another in occupied territories, a third in countries undergoing invasion.” The Destruction of the European Jews, vol. 1 (New York: Holmes & Meier, 1985), 280.
245 Cesarani, 77.
At this point, Eichmann’s position evolved in accordance with the evolution of Nazi policy from expulsion to concentration in camps, which had existed since 1933 in order to incarcerate political opponents, and ghettos, which began to be established throughout the incorporated territories in the winter of 1939.\textsuperscript{246} By 1940, Eichmann was appointed the director of RSHA section IV B4, “Emigration and Evacuation.” From this point on, he became instrumental in the organization and implementation of the deportation of Jews from the occupied territories to concentration camps, ghettos and also to sites where they were murdered by the Einsatzgruppen, the “special action groups,” or mobile killing squads who massacred Jews in territories taken over from the Soviets after “Operation Barbarossa,” on June 22, 1941.\textsuperscript{247}

By mid-1941, the Nazi’s policy towards the Jews shifted again, this time from concentration to annihilation. The specifics of the plans for mass annihilation, or the “final solution” to the “Jewish Problem,” were discussed at the Wannsee Conference, which met in January of 1942. This conference was chaired by Heydrich and attended by top officials who were, or would be, directly involved in the killing process.\textsuperscript{248} Eichmann was charged with producing the official report of the meeting. Although mass murder was already well underway prior to this conference, under the Einsatzgruppen squads,

\textsuperscript{246} Hilberg, The Destruction of the European Jews, v. 1, 221.
\textsuperscript{247} Hilberg, Destruction, v. 3, 408. Operation Barbarossa was the code name given to the German invasion of the Soviet Union, in June of 1941. This was an extremely “bloody” mission, which Bergen identifies as the decisive step that Hitler’s forces took in crossing “the final line to what he [Hitler] called a “war of annihilation.” The objective of this invasion was the “total destruction of the Soviet Union, seizure of its land, colonization, enslavement, and murder of its people, in short, the establishment of the Nazi regime in Europe.” By mid 1941, approximately 27 million Soviets were killed, many of them civilians. War and Genocide, 150.
\textsuperscript{248} Including “High officials from the Foreign Office…representatives of the SS, Einsatzgruppen, Nazi Party Headquarters, Justice Ministry, Hans Frank in the General Gouvernement in Poland, and others” Bergen, War and Genocide, 164
through systematic starvation in the ghettos (beginning in 1939), and also at Chelmno, which opened in December of 1941, the plans discussed at this meeting entailed “another step in the killing process,” intended to make the killing both more “efficient” and more psychologically bearable for the perpetrators.

In accordance with this shift in Nazi policy, Eichmann became responsible for overseeing and administering the deportation of Jews to the killing centers: Chelmno, Belzec, Sobibor, Treblinka, and Auschwitz-Birkenau, where gas chambers and crematoriums were installed. Throughout these years, he visited and reported on progress at these sites, as well as at Einsatzgruppen shooting sites.

Following the invasion of Hungary in March of 1944, Eichmann was reassigned to direct the Sondereinsatzkommando (special operations command) there. According to Hilberg,

The Sondereinsatzkommando, formed shortly before March 19 in the Mauthausen concentration camp, was the most formidable component of the machinery of destruction in Hungary. Here, under the command of Eichmann himself, the top deportation specialists of the RHSA had been concentrated into a single, devastatingly hard-hitting unit. These men had hardly arrived, and the German regime in Hungary had barely been established, when the destruction process was set into motion with a speed and efficiency that displayed the accumulated experience of several years of European-wide deportations.

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249 Ibid., 185. More information on the killing process at Chelmno will be given in subsequent sections of this chapter. Bergen also notes that Himmler had already begun the preparations to convert Auschwitz-Birkenau into a killing center in the summer of 1941 - prior to the Wannsee conference. Ibid., 189.

250 Ibid., 164-5.

251 For a map of the locations of these camps, all of which were located in Poland, see http://www.ushmm.org/wlc/en/media_nm.php?ModuleId=10005144&MediaId=354.

252 Other than at Chelmno, where, as will be explained later, the primary method of killing was gas vans.

253 Hilberg, Destruction, v.2, 823.
Within just a few months of arrival, Eichmann had ordered the creation of a Judenrat, implemented the yellow star as a way to designate Jews, concentrated the Jewish population into ghettos, and, by mid-May, was shipping them directly to Auschwitz.

By the beginning of July, a total of 437,403 Hungarian Jews had been deported to Auschwitz, of which only 25-30% were selected for labor and not killed immediately upon arrival.

**Eichmann’s (Initial) Capture, Escape, and Life in Argentina**

As the allied forces advanced by the end of April 1945, many top Nazi officials, including Himmler (who swallowed poison upon his capture), were captured. Many more escaped. Although Eichmann was initially captured by American soldiers, he remained unrecognized under American protection for months. After he heard that his name, position, and role in the RSHA were revealed by former SS-*Hauptsturmführer* (captain) Dieter Wisliceny at the Nuremberg trials, he became convinced of the necessity of escape. He was aided in his escape by other senior SS officers in his POW camp, who provided him with false identification papers identifying him as Otto Henninger.

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254 The *Judenräte* were councils of Jewish elders and leaders who were charged with the administration of the ghettos. A detailed analysis of them will be given in the next chapter.


256 Cesarani, 173.


259 Cesarani, 203-4.
Eichmann fled to North Germany, where he spent nearly two years working as a forester and raising chickens. He became convinced once again of the necessity to flee, this time outside of German borders, when his name was again brought up at the Nuremberg trials, this time by Rudolf Hoess (former commandant of Auschwitz). This time he availed himself of the established “rat line” leading through Germany and Italy, and arrived in Argentina in July of 1950. Here, he lived under his new name, Richard Klement, and his family joined him two years later.

The Eichmann’s lived in relative, though not complete secrecy in Argentina. In fact, there are many indications that Eichmann lived more openly in Argentina than one might expect for an escaped war criminal. For example, he kept close ties to the ex-Nazi community in Argentina, conducted a series of interviews with ex-Nazi journalist Willem Sassen, in which he boasted of his role in the Third Reich, and once his family arrived, they even went by their original last name.

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260 After the war, Hoess was captured and tried by the International Tribunal at Nuremberg. His autobiography, which was written while he awaited trial in prison, also contains several appendices written in connection with his preliminary questioning for his trial by Dr. Jan Sehn, the examining judge. In the appendix dedicated to Eichmann, we read that “He [Eichmann] was obsessed with the Jewish question and the order which had been given for its solution.” “…and also convinced that this extermination action was necessary in order to preserve the German people in the future from the destructive intentions of the Jews. This was the way in which he regarded his task, and he employed all his energy in fulfilling the plans for extermination which the Reichführer SS had made.” Commandant of Auschwitz, trans. Constantine FitzGibbon (London: Phoenix, 1995), 213, 215.

261 For a detailed explanation on how and why this “rat line” was made possible by “the conservative Catholic tilt of Argentinean nationalism in the 1930s,” see Cesarani, 205-207.

262 Ibid., 208-215.

263 Ibid., 218 pf.
Eichmann’s Capture

Despite the lack of secrecy under which Eichmann and his family lived in Argentina, the story of how his identity was discovered and the drawn-out processes that eventually led to his capture, are rife with political and logistical obstacles and frustrations. Eichmann’s identity was actually first suggested to the father of a girl that dated his eldest son Klaus in 1956. The girl reported her suspicions to her father, Lowthar Hermann, a former political prisoner in the concentration camps system. Hermann passed the information on to Fritz Bauer, the Attorney General in Hesse, Germany. Hesse then sent Hermann to travel to Eichmann’s address in order to confirm his identity and residence. Once this information was confirmed, Hesse passed it along to the Israeli Foreign Ministry, convinced that acting upon it through West German channels would cause Eichmann to be alerted to the investigation.

For the next few years, little was done to follow up on this information, and the investigation into Eichmann’s whereabouts was marked by a sloppiness and laziness which Cesarani argues reflects the low priority that was accorded to his capture. This is confirmed by Meit Amit, former head of Mossad,

The operation to capture Eichmann in Argentina was regarded by the Israeli intelligence community with mixed feelings. Some of the intelligence community heads (mainly from the military intelligence, responsible for the national security evaluation in Israel) felt at the time that Mossad was not fulfilling its proper role: the true enemies of Israel were the Arab armed forces.

Thus, in order for “operation Eichmann” to be initiated, the limited resources of the Mossad would need to be diverted away from its priority mission.\textsuperscript{264}

\textsuperscript{264} Ibid., 221-224.
Because of the low priority accorded to Eichmann’s capture, no progress was made in the investigation until 1960, when Simon Wiesenthal noticed that the obituaries of Eichmann’s mother (in April of 1959) and father (in February of 1960), listed Vera Eichmann among the mourners. This caused Wiesenthal to question the information that Vera had divorced from Eichmann, and wonder whether she had in fact rejoined him somewhere. He visited Vera’s mother, who told him that Vera remarried a man by the name of Klems or Klemt. Wiesenthal passed this information on to the Israeli authorities, and it was combined with new information received from Fritz Bauer in December of 1959 on the specifics of Eichmann’s escape under the name of Richard Klement. At this point, Mossad sought the approval of Ben Gurion for an operation to capture Eichmann. Based on Argentina’s poor record of extraditing war criminals, Ben Gurion approved the operation. However, he insisted that it be a covert one.265

On the evening of May 11, 1960, a Vanguard comprised of several Mossad agents, including a doctor who would be in charge of sedating Eichmann, and a technician skilled in assessing safe houses, ambushed Eichmann after he got off the bus on his way home from work. They took him to a safe house and began to interrogate him.266 After three days, he signed a statement that he was prepared to stand trial in Israel.267 On May 20th, Eichmann was drugged and taken on board a four-engine Israeli aircraft. Two days later he arrived in Israel. After being detained for three days in order

265 Ibid., 224-226.
266 Ibid., 108-230.
267 This was only after resisting for the first three days, and insisting that he would stand trial, but only in Argentina or Germany. It was necessary to cover the Mossad agents in case they were discovered in Argentina, and also to establish at the trial that Eichmann had come to Israel voluntarily. Cesarani, 231-2
for his identity to be confirmed, Ben-Gurion made a public announcement on May 23 that Eichmann had been captured and would stand trial in Jerusalem.\textsuperscript{268}

\textbf{Eichmann’s Trial, Indictment, and Sentencing}

Eichmann’s trial began on April 11, 1961. Three judges presided, Chief Justice Moshe Landau, Benjamin Halevi and Yitzhak Raveh. Gideon Hausner, Israel’s Attorney General, served as the Chief Prosecutor, and German lawyer Robert Servatius, who had a history of defending former Nazi party members at Nuremberg, served as Eichmann’s lead defense.\textsuperscript{269} The indictment against Eichmann had fifteen headings, including crimes against the Jewish people (punishable under the Nazi and Nazi Collaborators (Punishment) Law, 1950), engaging in activities meant to bring about the physical destruction of the Jews (such as ghettoization and deportation under horrible conditions), crimes against humanity and war crimes (also punishable under the Nazi and Nazi Collaborators (Punishment) Law), and membership in “hostile organizations,” such as the SS, SD and Gestapo.\textsuperscript{270} The judgment was pronounced on Dec. 15, 1961. The jury found Eichmann guilty on all counts and he was sentenced to death by hanging. He immediately appealed this ruling, but his appeal was rejected by President Ben-Zvi. On May 31, 1962, Eichmann was hanged. His body was cremated and his ashes were spread at sea.\textsuperscript{271}

\begin{thebibliography}{9}
\bibitem{268} Ibid., 234-6.
\bibitem{269} Ibid., 246.
\bibitem{270} Ibid., 252-4.
\end{thebibliography}
Hannah Arendt and the Eichmann Trial

When Arendt heard of Eichmann’s capture, she was living in New York with her second husband, Heinrich Blücher. She wrote a letter to the editor of The New Yorker, William Shawn, proposing that she be sent as a reporter to cover the trial. In a letter to Jaspers, she explains her motivation for wanting to witness the trial, “I would never be able to forgive myself if I didn't go and look at this walking disaster face to face in all its bizarre vacuousness, without the mediation of the printed word. Don't forget how early I left Germany and how little of all this I really experienced directly.” A similar motivation is expressed in her letter explaining why she would have to cancel her scheduled lecture at Vassar (only one of a series of commitments that needed to be rearranged or postponed in order for her to travel to Jerusalem for the trial). She explains, “To attend this trial is somehow, I feel, an obligation I owe to my past.”

Although Arendt was sent to the trial as a journalist to cover the trial, and despite her claim that her articles and book constitute a “trial report,” her personal remarks...

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272 Young-Bruehl, 328.
273 Arendt to Jaspers, Correspondence, Dec. 2, 1960, 409-10. In his “The Banality of Evil: The Demise of a Legend,” Richard Wohlin argues that this comment by Arendt demonstrates that “Arendt had already arrived at her definitive judgment of Eichmann’s character some four months before the trial began.” Jewish Review of Books, Fall 2014, accessed June 2015, http://jewishreviewofbooks.com/articles/1106/the-banality-of-evil-the-demise-of-a-legend/. Although this comment does suggest that Arendt had perhaps already come to some of her conclusions regarding Eichmann’s “banality” prior to encountering him, and therefore confirm her critics’ claim that she fitted her representation of him to her theory of totalitarian perpetrators (see particularly Cesarani, 4), it also does not preclude the fact that she “changed her mind” about evil, or at least about radical evil (as she tells Scholem, “Eichmann in Jerusalem,” 56), as a result of this encounter, and particularly, as I will demonstrate, about the role of ideology for explaining the perpetrators in the totalitarian context.
274 Young-Bruehl, 329.
275 EJ, 280.
about the tone and focus of the trial, the players in the trial, and even, or especially, the Israeli context in which it took place, reveal a more personal and subjective stance.

One of Arendt’s primary criticisms of the trial was its theatrical setting, with its “proceedings happening on a stage before an audience, with the usher’s marvelous shout at the beginning of each session producing the effect of the rising curtain.” It was held in the “newly built Beth Ha’am, the House of the People (now surrounded by high fences, guarded from roof to cellar by heavily armed police, and with a row of wooden barracks in the front courtyard in which all comers are expertly frisked).” Arendt argued that whoever chose this location (surely Ben-Gurion), “had a theater in mind, complete with an orchestra and gallery, with proscenium and stage, and with side doors for the actors’ entrance.” Thus, she concluded that this was “not a bad place for the show trial Ben-Gurion, Prime Minister of Israel, had in mind when he decided to have Eichmann kidnapped in Argentina and brought to the District Court of Jerusalem to stand trial for his role in the “final solution of the Jewish question.”276

However, it was not simply the setting of the trial that Arendt objected to, but also the “lessons,” which Ben-Gurion explicitly stated that the trial was meant to teach both Jews (in Israel and the Diaspora) and non-Jews. The following is an extended citation of these lessons as they are presented by Arendt in her report,

Ben Gurion had outlined them before the trial started, in a number of articles designed to explain why Israel had kidnapped the accused. There was the lesson to the non-Jewish world: “we want to establish before the nations of the world how millions of people, because they happened to be Jews, and one million babies, because they happened to be Jewish babies, were murdered by the Nazis.” Or, in the words of Davar, the organ of Mr. Ben Gurion’s Maipai party: “Let the world know this, that not only Nazi Germany was responsible for the destruction of six million Jews of Europe.” Hence, again in Ben Gurion’s own words, “We

276 EJ, 4-5.
want the nations of the world to know …and they should be ashamed.” The Jews in the Diaspora were to remember how Judaism, “four thousand years old, with its spiritual creations and its ethical strivings, its Messianic aspirations,” had always faced a “hostile world,” how the Jews had degenerated until they went to their death like sheep, and how only the establishment of a Jewish state had enabled Jews to hit back, as Israelis had done in the War of Independence in the Suez adventure, and in the almost daily incidents on Israel’s borders. And if the Jews outside Israel had to be shown the difference between Israeli heroism and Jewish submissive meekness, there was a lesson for those inside Israel too: “the generation of Israelis who have grown up since the holocaust” were in danger of losing ties with the Jewish people. We want then to know the most tragic facts in our history.” Finally, one of the motives to bring Eichmann to justice was “to ferret out the other Nazis- for example, the connections between the Nazis and some Arab rulers.”

In order for these lessons to be palpable, the trial focused first and foremost on the sufferings of the Jews, rather than the particular crimes of Adolf Eichmann. This was apparent, as already stated, in the choice of the witnesses at the trial, who were Holocaust survivors who had never encountered Eichmann and could not speak to his personal accountability. This focus frustrated Arendt, who insisted,

Justice demands that the accused be prosecuted, defended, and judged, and that all the other questions of seemingly greater import- of “How could it happen? and “Why did it happen?” and “Why the Germans?”, of “What was the role of other nations?” and “What was the extent of co-responsibility on the side of the Allies?,” of “How could the Jews through their own leaders cooperate in their own destruction?” and “Why did they go to their deaths like lambs to the slaughter?”- be left in abeyance.” …On trial are his [Eichmann’s] deeds, not the sufferings of the Jews, not the German people or mankind, not even anti-Semitism and racism.”

Thus, Arendt argued that “this case was built on what the Jews had suffered not on what Eichmann had done,” and took issue with the fact that the case was not intended first and foremost to identify the crimes of Adolf Eichmann and to assess his personal

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277 Ibid., 9-10
278 Ibid., 5.
responsibility, but instead to emphasize and represent the extent of Jewish suffering in a way that served and reinforced the Israeli national narrative.\footnote{Ibid., 6.}

In addition to being very forthcoming in her attitudes about the setting and focus of the trial, Arendt was also not at all subtle in her impression of the players in the trial, particularly the prosecution. These impressions are made clear in \textit{EJ}, as well as in her personal letters to Jaspers (which are only slightly more candid). About these players, the only positive things she had to say were about the chief justice, Moshe Landau, whom she claims is “superb,” and all three German judges, whom she calls “so obviously three good and honest men.” She tells Jaspers, “My first impression: On top, the judges, the best of European Jewry.”\footnote{Arendt to Jaspers, \textit{Correspondence}, April 13, 1961, 434}

By contrast, she describes Hausner, the prosecutor, as “a typical Galician Jew, very unsympathetic, is constantly making mistakes. Probably one of those people who don't know any language. His argument artificial, overly legalistic and with gross errors, interrupted by spells of emotion.”\footnote{Ibid.} In addition, she charged that Hausner represents the government and “does his best to obey his master [Ben Gurion], and if his best often turns out not to be good enough, the reason is that the trial is presided over by someone who serves Justice as faithfully as Mr. Hausner serves the State of Israel.”\footnote{\textit{EJ}, 5.} About Servatius, Eichmann’s lawyer, she says he is “oily, greasy, clever, concise and to the point- he knows what he wants!”\footnote{Arendt to Jaspers, \textit{Correspondence}, April 13, 1961, 434.}
As is her usual style, Arendt is also not subtle in her condemnatory remarks about the Israeli context, and state in general, which she describes in terms that are not dissimilar to her tone and description of totalitarianism in OT. For example, when considering the rabbinical laws that prohibit intermarriage between Jews and non-Jews, she claims, “there was certainly something breathtaking in the naïveté with which the prosecution denounced the infamous Nuremberg Laws of 1935, which had prohibited intermarriage between and sexual intercourse between Jews and Germans.”

She also explains to Jaspers, “Everything is organized by a police force that gives me the creeps, speaks only Hebrew, and looks Arabic. Some downright brutal types among them. They would obey any order. And outside the doors, the oriental mob, as if one were in Istanbul or some other half-Asiatic country.”

Despite these harsh remarks about the focus, players, and context of the trial, Arendt was not opposed to the trial, nor did she doubt the ability of the Israeli court to

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284 Anita Shapira objects to this parallel, arguing “this charge misses the mark, since marriage between Jews and non-Jews in not forbidden in Israel. What was impossible then was a civil marriage ceremony for such purposes. At the time there was the widespread notion of a “Cyprus marriage,” i.e., a marriage performed in Cyprus in order to get around the difficulties in Israeli legislation. Such marriages were of course recognized and completely legal.” “The Eichmann Trial: Changing Perspectives.” The Journal of Israeli History v. 23, 1 (Spring 2004), 37, fn 9.

285 EJ, 7.

286 Arendt to Jaspers, Correspondence, April 13, 1961, 435. Wohlin provides a commentary on this excerpt: “Even setting aside the egregious racism and anti-Jewish animus, there is something very alarming about this passage. Any reader familiar with Arendt’s classic study The Origins of Totalitarianism knows that she described such mobs as carriers of the totalitarian bacillus. Nor can there be any mistaking the import of her assertion that the Sephardic or Mizrahi policemen “would obey any order.” With this claim, Arendt insinuated that they were the “authoritarian personalities” and “desk murderers” of the future.” “The Banality of Evil: The Demise of a Legend.”
deliver an impartial verdict.\textsuperscript{287} In fact, she even defended the illegal kidnapping of
Eichmann, arguing that it was the only option (again, considering Argentina’s poor
extradition record), for bringing Eichmann to trial.\textsuperscript{288} Like Jaspers, because she
recognized the universal importance of Eichmann’s crimes and trial,\textsuperscript{289} she would have
preferred to have him tried under a universal tribunal. However, because such a tribunal
did not exist, she defended the right of the Israeli court to try and judge Eichmann, and
believed that it was completely competent to so impartially, just as the Polish and
German courts were competent to try the crimes committed against their populations by
the Nazis.\textsuperscript{290}

**Adolf Eichmann and the Banality of Evil**

Arendt’s claim that the evil perpetrated by Eichmann during his career was
“banal” is perhaps the most misunderstood statement that has ever been made by a public
figure or intellectual. As I will argue in this chapter, much of the controversy generated
by this claim is a reflection more of this misunderstanding than of what Arendt actually
said in her report.\textsuperscript{291} For this reason, much like the mythology surrounding Eichmann has

\textsuperscript{287} Even though such a statement would seem to be negated by her claim that his
trial was a “show trial.”

\textsuperscript{288} Arendt to Jaspers, *Correspondence*, Dec. 23, 1960, 417; *EJ*, 261-4.

\textsuperscript{289} Which, as I will explain in greater detail later in this chapter, she identified as a
“crime against humanity perpetrated against the Jewish people.” *EJ*, 269.

\textsuperscript{290} Arendt to Jaspers, *Correspondence*, Dec. 23, 1960, 417; *EJ*, 259-60.

\textsuperscript{291} Villa comes to a similar conclusion. In his response to Daniel Goldhagen’s
*Hitler’s Willing Executioner’s: Ordinary Germans and the Holocaust* (New York: Alfred
violence, as the latest installment in the controversy surrounding the Eichmann book. Like
many contributions to this controversy, it is premised on a substantial misunderstanding of what Arendt has to say in her “trial report.” *Politics, Philosophy, Terror*, 40.
made it difficult to accurately assess the man and his motivations, this controversy and its effects have made it difficult to assess Arendt’s actual claims in her report.

The simplest way to approach and begin to understand what Arendt meant when she called the evil she saw exemplified by Eichmann, both in his comportment and testimony at his trial and in the police investigation tapes she reviewed, was that she was confronted with a disconnect between the horrendous crimes he committed and Eichmann himself; or, between the deeds and the doer. Arendt readily admitted that Eichmann’s crimes were “monstrous,” however, she maintained that “Despite all the efforts of the prosecution, everybody could see that this man was not a “monster,” but it was difficult indeed not to suspect that he was a clown.”

It was this gulf between deed and doer that struck Arendt foremost in her confrontation with Eichmann at his trial, and which lies behind her identification of his evil as “banal.” Arendt defends and maintains this gulf by refuting the two most obvious ways it could be negated or explained away. The first of these is her insistence that Eichmann was not an antisemite, nor had he ever internalized or identified with Nazi ideology. This is something that Eichmann openly testified to at his trial, although “nobody believed him.” Arendt explains,

> [H]is was obviously…no case of insane hatred of Jews, of fanatical anti-Semitism or indoctrination of any kind. He “personally” never had anything whatsoever against the Jews; on the contrary, he had plenty of “private reasons” for not being a Jew hater. To be sure, there were fanatic anti-Semites among his closest

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292 *E.J.* 294.
293 Ibid., 54. This sentiment is echoed in the introduction to “Thinking” in *LM*, “I was struck by a manifest shallowness in the doer that made it impossible to trace the uncontestable evil of his deeds to any deeper level of roots or motives. The deeds were monstrous, but the doer- at least the very effective one now on trial- was quite ordinary, commonplace, and neither demonic nor monstrous.” 4.
friends, …but this, according to Eichmann, was more in the spirit of “some of my best friends are anti-Semites.”

In establishing that Eichmann’s actions cannot be understood as the result of antisemitic or ideological commitments, Arendt works to preserve the gulf between deed and doer that motivates her analysis. After all, it would not seem strange to identify a fanatical antisemite whose horrendous crimes are motivated by ideological commitment as a monster.

In addition, Arendt insists that Eichmann is and was “normal,” in fact, “terribly and terrifyingly normal.” In this, she agreed with the team of psychiatrists who assessed Eichmann prior to his trial and concluded that he was “more normal, at any rate, than I am after having examined him.” Arendt even goes so far as to include in her report that one of these psychiatrists was said to have concluded that Eichmann’s “whole psychological outlook, his attitude towards his children, mother and father, brothers and sister, and friends, was ‘not only normal, but most desirable’”, and that Eichmann was, all in all, “a man with very positive ideas.”

Arendt is careful to insist on Eichmann’s normality because it negates another possible way to bridge the gap between his deeds and himself. It does this in two ways. First, Eichmann’s normality negates the possibility that he was a sadist or a psychopath. Had he been either of these, the gap between himself and his deeds would be bridged. Second, and most importantly, as a normal person (and not a sadist or psychopath), Arendt insists that Eichmann, like all normal people, possessed a conscience. Thus, he

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294 EJ, 26
295 Ibid., 266
296 Ibid., 25-6
would surely have been imbued with an “innate repugnance towards crime,” and would have experienced a crisis of conscience as a result of the performance of his murderous duties throughout his career.

Arendt’s insistence on Eichmann’s normality and his possession of a conscience presents her with a fundamental problem, because at his trial Eichmann insisted that he “remembered perfectly well that he would have had a bad conscience only if he had not done what he had been ordered to do - to ship millions of men, women, and children to their death with great zeal and the most meticulous care.” Thus, the question that presented itself to her when confronted with Eichmann at his trial was how an “an average, “normal” person, neither feeble-minded nor indoctrinated nor cynical, could be perfectly incapable of telling right from wrong.” In other words, how had Eichmann, who was not antisemitic, nor indoctrinated, nor sadistic, and who possessed a conscience, been able to perform his murderous duties without not only not experiencing a crisis of conscience, but somehow concluding that his conscience would only have revolted had he failed to perform these murderous duties? It is this question that Arendt argues is the “greatest moral and even legal challenge of the whole case.”

In her report, Arendt answers this question by explaining that although Eichmann’s conscience continued to operate throughout his career, it functioned in an unexpected way. In fact, she argues that he experienced a reversal of conscience, whereby it “began to function the other way around.” Her report can thus be read as an

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297 Ibid., 93.
298 Ibid., 25
299 Ibid., 26
300 Ibid.
301 Ibid., 95.
exploration of the process that Eichmann underwent within a context of systemic evil that
effected this reversal of his conscience, and the factors that facilitated this reversal.

Eichmann’s Conscience

In this section, I will first present the evidence that leads Arendt to conclude that
Eichmann was indeed a normal person with a properly functioning conscience, as well as
the evidence that leads her to conclude that his conscience underwent a peculiar reversal
and began to function “the other way around.” I will then present the factors, revealed in
Arendt’s report, that made this reversal both possible and actual as Eichmann became
increasingly involved and implicated in the systemic evil of the Nazi regime.

That Eichmann was a normal person with a properly functioning conscience that
instilled in him an “innate repugnance towards crime,” was, Arendt maintains, evidenced
by his reactions to the killing sites he visited, beginning in 1941. In the fall of this year,
Eichmann was sent to Chelmno 302 in order to report back to his direct superior, Heinrich
Müller on the operations there. When he arrived, he witnessed Jews being killed by
mobile gas vans. The following is the reaction he testified he had to this experience,

302 Chelmno began operations in December of 1941, was closed in late 1942, and
“reactivated” in 1944. The method of killing at Chelmno was gas vans. Jews (as well as
Roma and Sinti), for the most part from the nearby Łódź ghetto (for location of Łódź and
other ghettos see http://www.ushmm.org/wlc/en/media_nm.php?ModuleId=10005059&
MediaId=356), arrived here and were told that they were being sent to Germany. Under
the impression that they were to have a shower before being relocated, they were ordered
to stripped and forced into a corridor labeled “washroom” which led into the back of
vans. These vans were fashioned so that the exhaust pipes led into the back through a
tube, where additional canisters of carbon monoxide were located. The vans drove into
the forest for a few miles, at which point the bodies were emptied from the back, and
those who had not been killed were shot. In the end, approximately 145,000 people were
I cannot tell [how many Jews entered], I hardly looked. I could not; I could not; I had had enough. The shrieking, and...I was much too upset, and so on, and as I later told Müller when I reported to him; he did not get much profit out of my report. I then drove along after the van, and then I saw the most horrible sight I had seen in all my life. The truck was making for an open ditch, the doors were opened, and the corpses were thrown out, as though they were still alive, so smooth were their limbs. They were hurled into the ditch, and I can still see the civilian extracting the teeth with tooth pliers. And then we were off- jumped into my car and did not open my mouth any more. After that time, I could sit for hours beside my driver without exchanging a word with him. There I got enough. I was finished. I only remember that a physician in white overalls told me to look through a hole into the truck while they were still in it. I refused to do that. I could not. I had to disappear.

Soon after this visit, Eichmann was sent to the site of Einsatzgruppen mass shootings in Minsk. When he arrived, he was initially relieved, because it seemed that he had arrived too late, and “the affair had almost been finished.” While he had in fact been spared the actual shooting, he did witness some Einsatzgruppen members taking aim at the dead in the ditch, as well as “a woman [in the ditch] with the arms stretched backwards.” Eichmann indicated, “that was quite enough for me...my knees went weak and off I went.”

After leaving this site, Eichmann and his driver stopped in Lwów, since he had heard great things about this place as a child, and expected a visit there might lift his spirits. However, the Einsatzgruppen were also active in this location, and so, despite his best efforts to excuse himself, Eichmann witnessed another “horrible sight. A ditch had been there, which was already filled in. And there was, gushing from the earth, a spring

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303 Here, Eichmann is referring to the gas van.
304 Eis, 87-8
305 Ibid., 88.
of blood like a fountain. Such a thing I had never seen before. I had enough of my commission, and I went back to Berlin and reported to Gruppenführer Müller.”

Although Eichmann made it clear in his reports that he was not “tough enough” to be sent to report on these sites, about nine months later, he was nevertheless sent to report on the killing operations at Treblinka. Here, Eichmann also took great care to avoid seeing too much. However, he did witness the deceptive measures that were taken at the camp, which was made to look like an ordinary train station, as well as Jews being forced into the gas chamber. He explained, “I kept myself back, as far as I could, I did not draw near to see at all. Still, I saw how a column of naked Jews filed into a large hall to be gassed. There they were killed, as I was told, by something called cyanic acid.”

In addition to these visits, Eichmann also visited Auschwitz several times throughout his career. However, because of the massive scale of the operations at this camp, which was made to look like an ordinary train station, as well as Jews being forced into the gas chamber. He explained, “I kept myself back, as far as I could, I did not draw near to see at all. Still, I saw how a column of naked Jews filed into a large hall to be gassed. There they were killed, as I was told, by something called cyanic acid.”

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306 Ibid., 89.
307 Treblinka began operations in July of 1942. Many of those who were killed there arrived from the nearby Warsaw ghetto. As one of the three “Operation Reinhard” camps (along with Belzec and Sobibor), Treblinka was solely a killing center. Its entry point was built to resemble a train station like any other. Once they arrived, those on board were forced to strip and enter an outdoor corridor of sorts, which was fashioned out of barbed wire and covered with branches and leaves. This corridor, which the German guards called the “funnel” or the “Himmelstrasse” (road to heaven), led into the gas chamber. By the time the camp was shut down in 1943 (following a revolt by Jewish workers in August), nearly a million Jews had been murdered there. Bergen, War and Genocide, 187-8. In his documentary film Shoah, Claude Lanzmann includes a clandestine interview with former SS Untersturmführer Franz Suchomel, who worked at Treblinka from 1942-1943. In this interview, Suchomel describes the camp and the processing of those who arrived in chilling detail. Shoah, directed by Claude Lanzmann, (1985, New Yorker Films), DVD. The audio for this interview can be accessed through the Steven Spielberg Film and Video Archive at the United States Holocaust Memorial Museum’s website, accessed June 2015, /www.ushmm.org/online/film/display/detail.php?file_num=5673. The transcript is available in, Claude Lanzmann, Shoah: The Complete Text of the Acclaimed Holocaust Film (New York: Da Capro Press, 1989), 95-101.
308 EJ, 89.
camp complex, which included a labor camp (Auschwitz), a factory for the chemical company IG Farben (Buna-Monowitz), and (by March of 1942), a killing center (Auschwitz II, or Birkenau), it was much easier to avoid witnessing the killing operations there, something Eichmann was always careful to do.

Although Arendt insists that Eichmann “did not see much” on these visits, presumably largely as a result of his own attempts to avoid seeing as much as possible, his intense reactions to what he did see are telling for two reasons. First, they establish the fact that Arendt insists upon in her report, which is that throughout his career, Eichmann was perfectly aware of the consequences of his bureaucratic tasks. Because he visited several of the “final destinations” of the transports he organized, he was perfectly aware of the fact that if he “had not transported them [meaning those included on the transports he organized], they would not have been delivered to the butcher.” For this reason, even though Eichmann had not been personally involved in the killing process, Arendt insisted that the two questions that needed to be answered in the affirmative in order to establish his legal responsibility, “whether he had known what he was doing; and…whether he had been in a position to judge the enormity of his deeds” were easily satisfied.

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311 [*EJ*, 89-90].
312 Ibid., 89.
313 Ibid., 52.
314 Ibid., 90.
Second, Eichmann’s violent reactions to these visits establish the fact that
Eichmann did in fact have a conscience, and that his conscience functioned in the
expected way, namely, that it revolted at the sight and even the thought of the systematic
murder of mass numbers of people. Based on these reactions, we might expect that the
performance of Eichmann’s duties, which primarily entailed organizing the transports
that brought people to these sites of mass killings, would have gone against his
conscience, particularly after these visits. That these visits did in fact have this expected
effect on Eichmann and produce in him a crisis of conscience, at least initially, is
evidenced by his actions just three weeks after his first visit to Chelmno, when he was
charged with organizing his first mass deportation of Jews to Einsatzgruppen shooting
sites in Riga and Minsk.

In one way, this task was not so different from others Eichmann had been charged
with in the past. It consisted of organizing a transport of deportees from one location to
another. What distinguished this task from previous ones he had been charged with was
that its destination was not a ghetto or concentration camp, but instead a killing site; and
also that he now had first-hand evidence of the fate of that transport once it arrived there.
This knowledge posed a crisis of conscience for Eichmann, who, in what Arendt
identifies as the first and last independent initiative of his career, had the transport
redirected and sent to the Łódź ghetto, where he knew the arrivals would not be killed (at
least not immediately) upon arrival.315

315 Ibid., 94. This action on Eichmann’s part in fact caused him a bit of grief. Because the ghetto was already overcrowded, the arrival of this transport was not welcomed by Regierungspräsident Ubelhör (The Nazi official in charge of the ghetto), who complained to Himmler and informed him that Eichmann had deliberately deceived
Considering both Eichmann’s initial reactions to the killing centers and this initiative together, Arendt concludes that Eichmann did in fact possess a conscience, and that the killing of Jews went against this conscience. It should also be noted, however, that even when this conscience was operational, Arendt admits that it nevertheless “did work within rather odd limits.” This is evidenced by the fact that Eichmann had in fact known about the Einsatzgruppen killing operations, and even approved of them in his official correspondences prior to his visits to these sites. Thus, they did not seem to bother his conscience when they involved the murder of foreign Jews. Arendt therefore concludes, “his conscience rebelled not at the idea of murder but at the idea of German Jews being murdered.” In response to this strange caveat, I would suggest the possibility that prior to his visits to these sites, Eichmann was able to psychologically distance himself from the reality of these killings. Thus, perhaps it was this first-hand experience, rather than the nationality of the victims, which accounts for these sudden reservations on his part. Nevertheless, and despite this strange caveat, Arendt insists that Eichmann’s violent reactions to these sites, coupled with his isolated initiative to save Jews (or at least prolong their lives), establish the fact that his conscience was intact and operated in the normal (expected) way, at least until September of 1941.

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316 In fact, many of Arendt’s most vehement critics allow her this point, although they may establish it on different terms. Cesarani, for example, argues that Eichmann’s reactions to these visits “suggest that Eichmann, like so many other perpetrators, was not a ‘natural born killer.’” Thus, it is not only Arendt who (at least implicitly) argues that Eichmann had to overcome his “innate repugnance towards crime,” or somehow assuage his conscience if he was to be able to continue to perform his duties properly and efficiently in a context where those duties were escalating in accordance with Nazi policy (which, at least after 1941, was “officially” working towards the “Final Solution.”)
The next piece of evidence that Arendt considers in her analysis of Eichmann’s conscience, and which leads her to conclude that he experienced a reversal of conscience, is his actions just four weeks later at a meeting in Prague that was chaired by Heydrich. Here, Eichmann, who just a month earlier had taken an initiative to save Jews from mass killing at the hands of Einsatzgruppen squads, stated that he had “reached an agreement” with local commanders that ensured that “[T]he camps used for the detention of [Russian] communists [a category to be liquidated on the spot by the Einsatzgruppen] can also include Jews”. In addition, he reported that he had been in discussions about “the trouble [which consisted primarily of overcrowding] at Łódź, and it was finally resolved to send fifty thousand Jews from the Reich (that is, including Austria, and Bohemia, and Moravia) to the centers of the Einsatzgruppen operations at Riga and Minsk.”

Eichmann’s initiative prior to this meeting, coupled with his announcement at this meeting lead Arendt to conclude,

[W]e are perhaps in a position to answer Judge Landau’s question- the question uppermost in the minds of nearly everyone who followed the trial- of whether or not the accused had a conscience: yes, he had a conscience, and his conscience functioned in the expected way for about four weeks, whereupon it began to function the other way around.319

Thus, the question “how long it takes an average person to overcome his innate repugnance towards crime,” which Arendt considered to be of “some legal relevance” and “of great political importance,” was, in Eichmann’s case, “supplied an answer that could not have been clearer and more precise,” just four weeks.320

318 EJ, 95
319 Ibid., 95.
320 Ibid., 93.
What is important to note at this point, however, is that this piece of evidence does not lead Arendt to conclude that Eichmann’s conscience had ceased to function. Instead, because she considers it alongside his own admission that he would have experienced a crisis of conscience only if he had failed to perform his duties, Arendt concludes that Eichmann’s conscience, which had initially operated in the expected way, underwent a peculiar reversal. Thus, instead of revolting at the performance of his murderous duties, it now revolted only at the thought of his failure to perform those duties.

Although Arendt does not explicitly present her analysis from this point on in the way that I will interpret it in the remainder of this section, I argue that the remainder of her report can be read as an exploration of the factors that facilitated and effected this reversal of conscience in Eichmann. These factors, all of which are explicitly identified and explored by Arendt in her report, include the “language games” the regime employed to effect a “distancing in reality” in its perpetrators; the fact of war itself, which desensitized many of the perpetrators to the reality of mass death; Eichmann’s realization (or conclusion) that in performing his duties he “spoke and acted with the voice of good society”; his “thoughtlessness”; and, finally, his conflation of legal and moral responsibility. Taken together, these factors first effected the soothing of Eichmann’s conscience, which was necessary throughout his career so that he could perform his murderous duties without experiencing a crisis of conscience at every turn. Eventually, however, the final factor on this list, Eichmann’s conflation of his legal and moral responsibility, allowed for the complete reversal of his conscience, so that it no longer
had to be soothed, but instead was active in every move and decision he made, active, however, in a new and backwards way.

The first factor that helped to soothe Eichmann’s conscience throughout his career when confronted with the performance of his duties was the “language games” that the regime employed. In fact, this was a deliberate attempt on the part of the regime to assuage crises of conscience, which were not uncommon among the perpetrators of the Third Reich, particularly those who were involved in the actual killing process. These language games entailed the deliberate manipulation of language by the regime, and particularly Himmler (who Arendt calls the “most gifted at solving problems of conscience.”) This was achieved in part by the “euphemisms” that were used to refer to Nazi measures. For example, in official documents the words “extermination” or “killing,” were never used, instead, code words such as “special treatment,” “evacuation” and “final solution” were used.  

Although these euphemisms may have allowed the perpetrators a small amount of distance from the reality of their actions, in all cases they would also have surely understood what was meant by these code words. Nevertheless, using these code words had the additional effect of making the perpetrators not only “bearers of orders” but also “bearers of secrets.”  

This prestiged position, along with the “catch phrases” carefully crafted by Nazi officials allowed them to feel as though they were part of something greater than themselves, and therefore to feel they could overcome their crises in conscience in order to be able to contribute more fully to a historical cause that was much bigger and more important than their personal reservations.

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321 Ibid., 85
322 Ibid., 84-5
Arendt spends some time in her report examining the effect that these language games and “catch phrases” had on Eichmann’s conscience, and demonstrates how effective they were in solving problems of conscience by the simple fact that he had not forgotten a single one of them. In fact, she claims that he invoked them nearly every time that he was asked a question pertaining to his conscience. Some of these phrases include: “My Honor is my Loyalty”; “We realize that what we are expecting from you is ‘superhuman,’” to be ‘superhumanly human’; and “To have stuck is out and, apart from exceptions caused by human weakness, to have remained decent, that is what has made us hard. This is a page of glory in our history which has never been written and is never to be written.”

Because most of the Nazi perpetrators, including Eichmann, were not sadists or psychopaths, whom, Arendt correctly indicates there was a deliberate attempt to exclude from the regime, these catch words and phrases effected a “remoteness from reality” in them that helped ease their consciences not only by allowing them a certain amount of distance from their actions, but also by allowing them to consider their murderous actions not on their own terms, but instead squarely in the context of systemic evil wherein they had been legalized and normalized. Because they provided him with a “sense of elation,” in the face of his murderous duties, Eichmann called the “catch phrases” of the regime “winged words.” The prosecution called them “empty talk.”

Arendt concludes that the

323 Ibid.
324 Ibid., 105.
325 Ibid., 288.
326 Eichmann also continued to appeal to these “catch phrases” up until the time of his hanging, when he pronounced “[T]hat he was no Gottgläubiger, to express in common Nazi fashion that he was no Christian and did not believe in life after death. He then proceeded: “After a short while, gentlemen, we shall meet again. Such is the fate of
distancing from reality these “winged words” had effected in Eichmann persisted to the point that “No communication was possible with him, not because he lied but because he was surrounded by the most reliable of all safeguards against the words and the presence of others, and hence against reality as such.”

The “safeguard against reality” that these words and phrases provided, and the feeling that they instilled of being part of something greater than oneself, may, and in most cases probably did, imply an ideological commitment to the Nazi regime. However, it is not necessarily the case that they always did so, or that it did so in Eichmann’s case. We find evidence of this in Arendt’s later essay “Personal Responsibility Under Dictatorship,” where we learn that a feeling of belonging to a great historical cause, or even trend, while not necessarily being committed to the policies or goals of that trend, can help explain “coordination” with systemic evil, and in fact becomes more disturbing than ideologically motivated coordination,

The moral issue arose only with the phenomenon of “coordination,” that is, not with fear-inspired hypocrisy, but with this very early eagerness not to miss the train of History, with this as it were, honest overnight change of opinion that befell a great majority of people in all walks of life and all ramifications of culture, accompanied, as it was, by an incredible ease with which lifelong friendships were broken and discarded.

all men. Long live Germany, long live Argentina, I shall never forget them.” In the face of death, he had found the cliche used in funeral oratory. Under the gallows, his memory played him one last trick; he was “elated” and he forgot that this was his own funeral.”

Ibid., 49.

“Personal Responsibility Under Dictatorship,” in Responsibility and Judgment, 24. I will return to the question of the “coordination” of society, and the “moral problem” this caused in this context later in this chapter.
That a feeling of belonging to something greater than himself, even if it did not imply ideological commitment to the Nazi cause, might have functioned to soothe Eichmann’s conscience is further suggested by Arendt’s biography of him, which depicts him as a failure who longed for acceptance and belonging as well as a “joiner,” for whom belonging was more important than real commitment to any cause. Thus, just as Arendt claims that he joined the Nazi party without any knowledge of their ideological underpinnings or goals, it becomes possible that his commitment to that party continued to be, in his mind, divorced from the principles of the regime, and to be conceived of primarily as loyalty and belonging to a cause greater than himself.

The second factor that Eichmann claims helped to ease his conscience was the “simple fact of war.” Within such a context, where “dead people were seen everywhere,” he explains that one developed a “different personal attitude” toward death (and presumably also towards killing). While it is almost certainly the case that this would have been a factor for many Nazi elites, and especially soldiers and those involved in the killing process, it is important not to overestimate the effect of desensitization this can bring. After all, as Arendt points out, it was still considered necessary to create gas chambers in order not only to make the killing more efficient, but also to lessen the psychological burden on the killers. This suggests that, even in contexts of total war and excessive death, complete desensitization does not always occur.

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329 EJ, 32.
330 Ibid., 106.
331 Ibid, 106-109. This is confirmed by Bergen, War and Genocide, 164-5.
332 This is confirmed by Christopher Browning’s Ordinary Men, which discusses the many devices that were employed (such as excessive alcohol use and ideological training), in order to lessen the burden on members of the police Battalion 101, amidst the excessive death of the Einsatzgruppen killings.
When considered in light of Eichmann’s case, it seems that this factor may have been even less successful in this regard. After all, although Eichmann did travel throughout his career and base his operations in many different places, he was neither a soldier on the front lines, nor was he personally involved in the killing process. While it is true that he likely witnessed mass death on many occasions, we also have evidence that his most intimate experiences of mass death resulted not in his desensitization, but instead in a severe crisis of conscience that caused him to divert a transport of Jews away from certain and immediate killing. Nevertheless, I have included this factor since Eichmann mentions it in his testimony, and Arendt reports on this.

Even more than the “winged words” and the context of war, the factor that Eichmann argued was the “most potent factor in the soothing of his own conscience was the simple fact that he could see no one, no one at all, who actually was against the Final Solution.”³³³ The decisive moment, or event, that led Eichmann to this conclusion was the Wannsee conference. As previously indicated, this was a conference held in Wannsee, a suburb of Berlin, in January of 1942, at which the specifics for the plans of mass annihilation, or the “final solution” were discussed. Eichmann attended this meeting in accordance with his task to produce an official report. In attendance was Heydrich, who chaired the meeting, those who had, or would have, a direct hand in the killing, as well as “members of the various branches of the civil service.”³³⁴ It is worth quoting at length Arendt’s summary of the importance of this conference (which is a combination of her words and Eichmann’s) for Eichmann and the soothing of his conscience,

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³³³ EJ, 116.
³³⁴ Ibid., 113.
Although he had been doing his best right along to help with the Final Solution, he had still harbored some doubts about “such a bloody solution through violence,” and these doubts had now been dispelled. “Here now, during this conference, the most prominent people had spoken, the Popes of the Third Reich.” Now he could see with his own eyes and hear with his own ears that not only Hitler, not only Heydrich or the “sphinx” Müller, not just the S.S. or the Party, but the élite of the good old Civil Service were vying and fighting with each other for the honor of taking the lead in these “bloody” matters. “At that moment, I sensed a kind of Pontius Pilate feeling, for I felt free of guilt.” Who was he to judge? Who was he “to have [his] own thoughts in this matter?” Well, he was neither the first nor the last to be ruined by modesty.

This excerpt demonstrates that the Wannsee conference convinced Eichmann that the “final solution” was enthusiastically supported not only by his superiors and peers within the Nazi party, but also by the civil service. In other words, he concluded that in performing his duties, he spoke and acted “with the voice of respectable society around him.”

In a questionable move, Eichmann also found further support for this conclusion in his personal interactions with Christian leaders, particularly Probst Heinrich Grüber. Grüber was a Protestant Minister who was opposed to Hitler and his anti-Jewish measures throughout the war, and who testified against Eichmann at his trial. Throughout the war, Grüber attempted to intervene on behalf of the Jews several times, and even tried to reach the detention camp of Gurs, where he heard that German Jewish refugees were interned in what were reportedly worse conditions than in Poland. In considering his meetings with Grüber, Eichmann remembers, “Nobody…came to me and reproached me for anything in the performance of my duties. Not even Pastor Grüber claims to have done so…He came to me and sought the alleviation of suffering, but did not actually

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335 Ibid., 114
336 Ibid., 126.
object to the very performance of my duties as such.”337 Thus, even those who seemingly opposed the treatment of Jews did not, at least in Eichmann’s eyes, object to the “final solution” itself, only to its methods. In the end, he concluded that he did not have to “close his ears to the voice of conscience,” as the judgment has it, not because he had none, but because his conscience spoke and acted with a “respectable voice,” with the voice of respectable society around him.”338

At this point it seems that, at least in Eichmann’s eyes, his conscience was soothed by the fact that all of society was in agreement with the “final solution.” However, even if this were the case, there still remained one important obstacle to the performance of his duties that would have caused Eichmann to experience a crisis of conscience. This is the simple fact that, even if every voice around him was (or seemed to be) in agreement with the “final solution,” there remained one important voice of objection he could have considered, his own. That Eichmann’s own internal voice would have offered an alternative perspective or opinion is evidenced by the fact that, as already

337 Ibid., 131.
338 Ibid., 126. At this point it is perhaps necessary to at least preliminarily indicate that Arendt suggests that another factor that went into Eichmann reaching this conclusion was his interactions with the Jewish elders and Jewish Council leaders, who she claims cooperated with him to an alarming degree. This was something that she indicates that he did not expect, and which led him to conclude that he was also not offered even the dissenting or protesting voices of his victims, who, if they did not agree with the “final solution,” at least seemed to comply and cooperate it to an alarming degree. EJ, 125-6. I have chosen to include this information in a footnote at this point, rather than in my text, for a few reasons. First, it is an aspect of Arendt’s report that is highly problematic and does not take into account the reality of the situation of the Jewish Council members. In addition, I cannot treat this aspect of her report appropriately here, and will do so extensively in my following chapter. Finally, since it seems to me that Arendt’s suggestion that the cooperation of the Jewish leaders contributed to this conclusion on Eichmann’s part is largely unfounded (since he himself never seems to suggest this), I do not believe it contributes to my analysis of the banality of evil.
established, he possessed a conscience and the killing of Jews went against this conscience (at least initially).

However, this potential internal dissenting voice, or the final obstacle that needed to be overcome in order for Eichmann’s conscience to be completely soothed, was effectively quieted by the factor that helped not only to soothe Eichmann’s conscience, but also to ensure that it would not cause him any further “problems,” his “thoughtlessness.” Thoughtlessness is the central concept for understanding what Arendt meant when she identified Eichmann’s evil as “banal.”\footnote{Bernstein agrees, “The key concept in her earlier analysis of radial evil was superfluousness. After she witnessed the Eichmann trial, she turned her attention to thoughtlessness.” Hannah Arendt and the Jewish Question (Cambridge: MIT Press, 1996), 152.} Instead of “self-interest, greed, covetousness, resentment, lust for power, and cowardice,”\footnote{OT, 459.} it was this thoughtlessness that, Arendt argues, “predisposed him to become one of the greatest criminals of that period.”\footnote{EJ, 288.}

Arendt does not go into great detail in her report to explain what exactly she meant when she attributed Eichmann’s crimes to “sheer thoughtlessness.” The importance of thoughtlessness for understanding Eichmann’s crimes, however, is very clear. Arendt not only identifies it as what, “predisposed him to become one of the greatest criminals of that period,” but also indicates that the fact that “such remoteness from reality and such thoughtlessness was able to wreak more havoc than all the evil instincts taken together which, perhaps are inherent in man- that was, in fact, the lesson one could learn in Jerusalem.”\footnote{Ibid., 288.}
In attempting to deduce what Arendt means when emphasizing the role of thoughtlessness in Eichmann’s crimes, one might be tempted to look to her previous writings on totalitarianism. However, because she insists that Eichmann’s crimes cannot be understood as motivated by antisemitism or ideological commitment, it would be a mistake to conclude, as we might based on her analysis of ideology in OT, that Eichmann’s thoughtlessness is the result of the submission of his mind to the inner logicality of the ideology of the Nazi regime. In order to understand what thoughtlessness means in EJ, we therefore cannot look back, to OT, but instead must look forward, to Arendt’s subsequent writings, particularly her 1971 essay “Thinking and Moral Considerations,” and her unfinished LM. As previously mentioned, Arendt explicitly states that both of these works were at least partially inspired by her continued preoccupation with Eichmann’s thoughtlessness, and by her continued preoccupation with the connection between thinking and evil-doing.343

In order to understand what Arendt means by thoughtlessness, we much first explore her “thoughts” (or writings) on its opposite: thinking. Arendt insisted that thinking is a capacity that belongs to every human being, at all times, and in every circumstance. That all human beings are capable of thinking is in fact a necessary preliminary consideration if a connection between thinking (or thoughtlessness) and evil-doing is to be established, which is essentially her goal in these two writings. In other words, “If the ability to tell right from wrong should have anything to do with the ability

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to think, then we must be able to “demand” its exercise in every sane person no matter how erudite or ignorant, how intelligent or stupid he may prove to be.”

Arendt confirmed this capacity in each person by identifying man, as such, as a “thinking being. By this, I mean that man has an inclination and, unless pressed by the more urgent needs of living, even a need (Kant’s “need of reason”) to think beyond the limitations of his knowledge, to do more with his intellectual abilities, his brain power, than to use them as instruments for knowing and doing.” Unlike our desire for knowledge, which Arendt maintained was always satisfied when it reached its desired end, the “inclination, or need to think,” is never-ending. This is why Arendt identified thinking as the quest for meaning, as opposed to “the scientist’s thirst for knowledge.” It can never reach its end, and man’s desire, or need, to think can never be satisfied by the thoughts he thought yesterday, unless he thinks them anew. In other words, man is a thinking being, who can satisfy his need to think only by thinking.

Despite her identification of man (or human beings) as a thinking being(s), Arendt was also clear about the limitations of thinking. These limits entail, first and foremost, that thinking cannot produce any concrete results, nor can it tell us what to do in any

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344 “Thinking and Moral Considerations,” 164
345 Ibid., 163.
346 In this Arendt relies on Kant, to whom she claims “we owe…the distinction between thinking and knowing, between reason, the urge to think and to understand, and the intellect, which desires and is capable of certain, verifiable knowledge.” However, unlike Kant, who believed that the need to think beyond the limitations of knowledge was aroused only by the old metaphysical questions of God, freedom, and immortality,” Arendt maintained that “the ability and need to think are by no means restricted to any specific subject matter.” Nevertheless, in distinguishing knowledge from thought, Arendt claimed that Kant had “made room not for faith but for thought.” LM, “Thinking,” 13-14, 53-65.
347 “Thinking and Moral Considerations,” 165.
348 Ibid., 163.
given situation. This is largely because it occurs in the realm of invisibles. In order to think, the thinker must remove themselves from the world of appearances and enter a world of things that are not directly present, a world of imagination full of representations of reality. Thus, thinking is out of order and may even distract the thinker from the real world to the point that they become blind to it and cannot participate in it like everyone else. 349

The fact that thinking deals with invisibles and brings us away from the tangible world means that it cannot produce any concrete results, nor tell us how we ought to act in any situation. Although this may seem to point to its impotence in guiding us in moral affairs, or to deny the fact that there exists any connection at all between thinking and evil-doing, Arendt maintains the importance of thinking for guiding ethical action in and through her appeal to Socrates, who personified and exemplified both the destructive element that is inherent in thinking, as well as its effect (although this effect is not tangible), the establishment of conscience.

Plato tells us that during his lifetime Socrates was referred to as an electric ray. He earned this name as a result of his tendency to make people question what they thought they knew without providing them with any “knowledge” per se. The paralysis that this kind of thinking causes is two-fold. First, in order to think, which, as we have seen, deals only with invisibles, as the thinker must remove themselves from the world of appearances. Thus, in order to think, we must first stop what we’re doing. Thinking

therefore interrupts all doing and acting and takes the thinker away from the world they share with others, if only for a moment.\textsuperscript{350}

In taking the thinker away from this world, into an inner world of imagination and contemplation of invisibles, the second paralyzing effect of thinking becomes apparent. Because thinking allows the thinker to consider things that are not actually present in their immediate experience, it allows them to consider things differently, and different from, the things that they encounter in their everyday experience. Thus, thinking “inevitably has a destructive, undermining effect on all established criteria, values, measurements for good and evil, in short, on those customs and rules of conduct we treat of in morals and ethics.” This is why “frozen” thoughts, or general rules, societal conventions, norms, and standards, “cannot withstand the wind of thought.”\textsuperscript{351}

In addition to the paralyzing and destructive elements inherent in thought, which function to destabilize general rules and prejudices, thinking also places limits on what we can do in the world (even though it cannot tell us what we should do), by establishing conscience. Conscience, literally, “to know with myself” is the by-product of thinking, because, although thinking occurs in solitude and deals only with invisibles, it also makes apparent the plurality, or difference, inherent within ourselves by actualizing our internal thinking partner. This is why Socrates understood thinking as the internal two-in-one dialogue with the self. By thinking, we converse with ourselves and we become accountable, not only in the world of appearances, but also to our inner selves. Thus, even though theft and murder may be condoned by society, the thinking person will not be able to perpetrate these crimes, because they will always, at the end of the day, have to


\textsuperscript{351} “Thinking and Moral Considerations,” 176.
“go home” with themselves, have to retreat into their private thoughts; and they could not
de with a thief or a murderer. This is why Socrates proclaimed that “To suffer wrong is
better than to do wrong,” and “It is better for me that my lyre or a chorus I directed
should be out of tune and loud with discord, and that multitudes of men should disagree
with me rather than that I, being one, should be out harmony with myself and contradict
me.”352

Because thinking functions to destabilize prejudice, and to establish conscience,
Arendt identified it as a way of striking roots in the world. It is what prevents the
individual from being “swept away” by the winds of history, from complying with
societal norms and conventions unquestioningly, “For human beings, thinking of past
matters means moving in the dimension of depth, striking roots and thus stabilizing
themselves, so as not to be swept away by whatever may occur- the Zeitgeist or History
or simple temptation.”353 Thus, although it cannot tell us what to do, thinking can prevent
our compliance with evil by establishing conscience, and placing limits on what we can
do.

Although Arendt insisted that thinking, and therefore the establishment of
conscience, was a possibility for every human being, she nevertheless maintained that not
all human beings take full advantage of this capacity and its effects.

Thinking in its noncognitive, nonspecialized sense as a natural need of human
life, the actualization of the difference given in consciousness, is not a prerogative
of the few but an ever-present faculty of everybody; by the same token, inability
to think is not a prerogative of those many who lack brain power but the ever-
present possibility for everybody-scientists, scholars, and other specialists in

353 “Some Questions of Moral Philosophy,” in Responsibility and Judgment, 95.
mental enterprises not excluded— to shun that intercourse with oneself whose possibility and importance Socrates first discovered.\textsuperscript{354}

This exploration of thinking and thoughtlessness in Arendt’s later writings reveals that Eichmann in fact provides us with a perfect example of someone who stopped thinking. In response to the “language games” of the regime, the fact of war (according to his testimony), and the realization that in performing his murderous duties he spoke and acted “with the voice of respectable society,” he simply stopped appealing to his internal partner, the only one who could have offered him a dissenting voice. In other words, although he had initially experienced a crisis of conscience when performing his murderous duties, when he realized that these duties were in accordance with the rules and conventions of society, and concluded that everyone he knew and encountered agreed with these rules and conventions, he stopped removing himself from the world of appearances to consider things differently, he stopped appealing to his internal two-in-one dialogue partner, he stopped thinking. He therefore no longer experienced a crisis of conscience because he had ceased to appeal to his conscience at all. This thoughtlessness ensured that Eichmann could perform his duties without experiencing a crisis of conscience, since the only voice that might oppose his crimes, his own, had been effectively silenced.

Arendt’s claim that Eichmann was thoughtless has led many of her critics to conclude (as evidenced in the introduction to this chapter), that Eichmann was an automaton, who performed his duties unthinkingly and who never identified with the spirit behind them. Such a conclusion may seem validated not only by Arendt’s insistence

\textsuperscript{354} “Thinking and Moral Considerations,” 187-8.
that Eichmann was “thoughtless” but also by her curious statement that he “never realized what he was doing” (italics in original). However, in coming to this conclusion we are missing the point of Arendt’s claim that Eichmann’s evil was banal, because we are only travelling with her as far as it took Eichmann’s conscience to be effectively soothed. However, she insists that his conscience was not only soothed, but that it was in fact reversed, it started to operate the other way around. Thus, the combination of the “language games,” the fact of war, Eichmann’s conclusion that he spoke and acted with the “voice of respectable society,” and his thoughtlessness, only bring us part of the way to understanding the process that he underwent within this context of systemic evil and violence and the effect it had on his conscience. The final factor that needs to be considered, and the one that ultimately explains how and why Eichmann’s conscience was reversed, is his conflation of moral and legal responsibility.

As previously mentioned, within the context of the Third Reich, Eichmann’s duties included organizing the transports destined for ghettos, shooting sites,

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355 EJ, 287. This statement, however, should be considered in connection with my earlier emphasis on Arendt’s insistence that the two questions that needed to be answered in the affirmative in order to establish his legal responsibility, “whether he had known what he was doing; and…whether he had been in a position to judge the enormity of his deeds” were easily satisfied. EJ, 90.

356 For this part of my chapter, I rely heavily on Villa’s analysis of the banality of evil in his chapter, “Conscience, the Banality of Evil, and the idea of a representative Perpetrator,” in Politics, Philosophy, Terror, 39-60. Here, he argues that “Eichmann’s conscience did not function in the expected manner since it was based on a conflation of morality with legality.” For my particular phrasing of this argument, as a “conflation of moral and legal responsibility,” as well as my thinking on this issue in general, I am indebted to Daniel Brandes’ lectures from his course, Hannah Arendt: Terror, Politics, Thought, which I served as the teaching assistant for at the University of King College, Halifax NS, Winter 2013.
concentration camps and exterminating camps. Within this context, these duties were legalized, as all of the measures of the Nazi regime happened within the limits of the law as the regime defined it. However, even though these duties were legal, we have already seen that Eichmann was aware of their consequences— the brutal deaths of millions of people— and that his conscience revolted at this thought, at least initially. However, once Eichmann’s conscience had been effectively soothed, and his thoughtlessness ensured that it would no longer present an obstacle in the performance of his duties, the legality of the Nazi murderous policies became his new moral compass, and he was able to live with himself, not because he and his internal thinking partner were in good standing (since he had stopped appealing to that partner altogether), but because he was able to take solace in the fact that he was a law-abiding citizen. From this point on, Eichmann’s conscience was reversed, as it revolted not when the performance of his duties caused an internal disharmony for him (and his thinking partner), but instead, only when he failed to perform his legal duties, which consisted, for the most part, of transporting millions of people to their deaths.

That Eichmann conflated his moral and legal responsibility is perhaps most strikingly clear in his sudden declaration at his trial “that he lived his whole life according to Kant’s moral precepts, and especially according to a Kantian definition of duty.” That Eichmann had dared to invoke Kant in the context of his trial was a shock to many who were present. It certainly seemed at the very least to be an obscene misinterpretation of Kant’s moral philosophy, which insists upon the capacity of each person to judge their actions autonomously according to reason, or, according to their

\[357 \textit{EJ, 135-6}\]
own thinking capacity. When he was pressed further on this issue, Arendt indicates that Eichmann,

[C]ame up with an approximately correct definition of the categorical imperative: “I meant by the remark about Kant that the principle of my will must always be such that it can become the principle of general laws” (which is not the case with theft or murder, for instance, because the thief or the murderer cannot conceivably wish to live under a legal system that would give others the right to rob or murder him).  

Despite this “approximately correct definition,” Eichmann conceded to the court that “from the moment he was charged with carrying out the Final Solution he had ceased to live according to Kantian principles, that he had known it, and that he had consoled himself with the thought that he no longer “was master of his own deeds,” that he was “unable to change anything.” However, according to Arendt, what Eichmann failed to tell the court was that he had in fact not stopped living according to Kantian principles, but in fact had continued to live according to a distorted version of these principles. According to this version, which he himself called Kant “for the household use of the little man,” the categorical imperative is distorted to read as follows: “Act as if the principle of your actions were the same as that of the legislator of the law of the land- or, in Hans Frank’s formulation of the “categorical imperative in the Third Reich, which Eichmann might have known: “Act in such a way that the Führer, if he knew your action, would approve it.”

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358 Ibid., 136.
359 Hans Frank was the director of the General Gouvernement, the portion of Poland that was controlled by the German Reich as a colony following the invasion and division of Poland and the beginning of the war in 1939. Frank was a long time and close associate of Hitler’s, and under his direction this portion of land, including cities such as Warsaw and Krakow, “became a key site in Nazi brutality.” Bergen, War and Genocide, 104.
360 EJ, 136.
This distortion of the Kantian formula is central for understanding Eichmann’s conflation of moral and legal responsibility because,

In this household use [of Kant for the little man], all that is left of Kant’s spirit is the demand that a man do more than obey the law, that he go beyond the mere call of obedience and identify his own will with the principle behind the law- the source from which the law sprang. In Kant’s philosophy, that source was practical reason; in Eichmann’s household use of him, it was the will of the Führer.361 Adhering to this particular version of the Kantian imperative thus ensured that Eichmann not only fulfilled his duties, as a law-abiding citizen, but also that he identified his will with the spirit and principle behind them- in this case the will of the Führer- completely and without exception.362 It is therefore this identification of his will with the will of the Führer, and not ideological or antisemitic commitment, that accounts for the “great zeal and meticulous care,” with which Eichmann performed his duties until the very end, and also discounts the common misunderstanding that Eichmann was a cog who never identified with the spirit behind his actions.

Eichmann’s identification of his will with the will of the Führer also works to discount the piece of evidence that is most often cited to prove his ideological commitment to Nazi policy and goals. This is his disobedience of Himmler’s order to stop the trains on their way to killing sites when the allies were approaching and it was

361 Ibid., 136-7.
362 Ibid., Arendt emphasizes the uncompromising attitude towards the performance of his duties that this necessitated from Eichmann, by reporting on his own admittance that, throughout his entire career, he had swayed from his duty only two times, “he had helped a half-Jewish cousin, and a Jewish couple in Vienna for whom his uncle had intervened.” However, the degree to which he was committed to the performance his duties, which he had conflated with his moral responsibility, is evidenced by the fact that “This inconsistency still made him feel somewhat uncomfortable, and when he was questioned about it during cross-examination, he became openly apologetic and “confessed his sins” to his superiors.” EJ/ 137. He also proclaimed in court, after being questioned by the prosecutor, that he would have murdered his own father if his duties had demanded it. EJ/ 22.
clear that the war had been lost. Because Eichmann could not have imagined this order as coming from the Führer (and not because he was intent on murdering as many Jews as possible until the bitter end), he could not obey this order without experiencing a crisis of conscience. This is, of course, a massive change from the first time that Eichmann disobeyed an order to avoid a crisis of conscience, when he sent the transport of Jews to a ghetto rather than a killing site, and one that definitively demonstrates that his conscience was entirely reversed within this context of systemic evil. Arendt explains, “Thus for Eichmann, who had decided to remain a law-abiding citizen of the Third Reich, the black flag of manifest unlawfulness flew above those orders of Himmler in the fall of 1944, according to which deportations were to be stopped and the installations of the death factories dismantled.”

That Eichmann chose to disclose his reliance on Kant in the courtroom, and reveal to the judges his uncompromising attitude towards the performance of his duties was perhaps a poor decision, however, his decision to do so was based on the fact that,

[In] his own eyes it was precisely what justified him, as it had once silenced whatever conscience he might have had left. No exceptions- this was the proof that he had always acted against his “inclinations,” whether they were sentimental or inspired by interest, that he had always done his “duty.”

Thus, Eichmann’s conscience was effectively reversed, by his own perception of himself as a law-abiding citizen. Michael Denneny provides an accurate summary, “Eichmann said he recognized that he had participated in what was perhaps one of the greatest crimes

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363 Cesarani, 192-3.
365 EZ, 137.
In this section, I have presented the evidence that leads Arendt to conclude that Eichmann was a normal person with a conscience, and that his conscience underwent a peculiar reversal within the context of systemic evil of the Nazi regime. Her report identifies the factors that effected and facilitated this reversal. The “language games” of the regime, the fact of war, the seeming approval of the “final solution” by “good society,” and Eichmann’s “thoughtlessness,” effected the soothing of his conscience and ensured that he ceased appealing to it when performing his duties. It was ultimately the silencing of his internal thinking partner, or his “thoughtlessness,” that allowed Eichmann to equate his legal and moral responsibilities and align his will with the spirit behind his duties- the will of the Führer. From this point on, his conscience was completely and effectively reversed, and revolted not at the thought of killing, but instead at the thought of failing to perform his murderous duties.

From Radical Evil to the Banality of Evil

As demonstrated in my previous chapter, Arendt’s report on Eichmann’s trial was not her first investigation into evil. In *OT*, she argues that with the total domination of man in the concentration camps, which entailed the destruction of their capacity for spontaneous thought and action, a new kind of evil emerged. This radical evil was

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distinguished from all previous experiences and theories of evil in that it was not (like Kant’s radical evil) the product of humanly comprehensible motives, and that it was unpunishable and unforgiveable. Ten years later, in reporting on Eichmann’s trial, Arendt once again makes the claim that a new kind of evil has emerged. This time, she calls it “banal” rather than “radical.”

The fact that Arendt comes up with a new term to describe Eichmann’s evil, and a new framework for analyzing it (instead of simply applying her framework from OT), indicates that she may have discovered something different in Eichmann and his evil than in her analysis of radical evil in OT. This assumption is supported by the exchange of letters between Arendt and Gershom Scholem, which was occasioned by EJ, and constitutes an important resource in the controversy caused by Arendt’s report. In his letter, Scholem explains to Arendt,

After reading your book I remain unconvinced by your thesis concerning the “banality of evil”- a thesis which, if your sub-title is to be believed, underlies your entire argument. This new thesis strikes me as a catchword: it does not impress me, certainly, as the product of profound analysis- an analysis such as you gave us so convincingly, in the service of a quite different, indeed contradictory thesis, in your book on totalitarianism. At that time you had not yet made the discovery, apparently, that evil is banal. Of that “radical evil,” to which your then analysis bore such eloquent and erudite witness, nothing remains but this slogan- to be more than that it would have to be investigated, at a serious level, as a relevant concept in moral philosophy or political ethics. I am sorry- and I say this, I think in candor and in no spirit of enmity, that I am unable to take the thesis of your book more seriously. I had expected, with your earlier book in mind, something different.367

Arendt’s reply confirms Scholem’s suggestion that she had in fact meant something different in describing Eichmann’s evil as banal than she had in describing evil as radical in OT. “You are quite right: I changed my mind and do no longer speak of ‘radical

367 Scholem to Arendt, “Eichmann in Jerusalem”, 53.
evil.’…It is indeed my opinion now that evil is never “radical,” that it is only extreme, and that it possesses neither depth nor any demonic dimension.” This shift in Arendt’s thinking about evil is also evidenced by her comment in a personal letter to Mary McCarthy, in which she indicates, “the very phrase “Banality of Evil” stands in contrast with the phrase I used in the totalitarianism book, “radical evil.”

Arendt’s claim that she changed her mind about evil has led many commentators to assume that radical evil and the banality of evil are completely different and unrelated concepts; and that as a result of her encounter with Eichmann, Arendt no longer held to her analysis of the former in OT. By contrast, Richard Bernstein argues that radical evil and the banality of evil are in fact more in continuity with one another than Arendt would have us believe. While both are the result of Arendt’s engagement with totalitarianism, the former results from her attempt to examine what was unprecedented in totalitarian domination, the latter her attempt to explain how “ordinary” people, (or at least one ordinary person), became implicated in the crimes of the Nazi regime. This shift in focus, Bernstein claims, leads Arendt to posit thoughtlessness as the key to understanding banal evil, while it was superfluidity that characterized radical evil. In this section, I will consider if and how Arendt changed her mind about evil as a result of her encounter with Eichmann by considering banal evil in light of the characteristics of radical evil I identified in my previous chapter: that it is not the product of humanly comprehensible motives, and that it is unpunishable and unforgivable.

368 Arendt to Scholem, “Eichmann in Jerusalem”, 56.
370 For example, Young-Bruehl concludes, “Arendt rejected the concept she had used in The Origins of Totalitarianism to point to the incomprehensible nature of the Nazis- “Radical evil.” 367.
371 Richard J. Bernstein, Hannah Arendt and the Jewish Question, 152.
In my analysis of radical evil, I argued that the key feature that distinguishes Arendt’s analysis of radical evil from Kant’s is her claim that it has “nothing to do with humanly comprehensible motives” like “self-interest, greed, covetousness, resentment, lust for power, and cowardice.” That radical evil cannot be understood as the result of such traditional motives is due to the fact that totalitarianism, through ideology and terror (which became total in the camps), aimed to transform all of its subjects (administrators, perpetrators, and victims) into passive bodies onto which the laws of nature or history could be inscribed. Thus, their actions are no longer motivated by their own selfish intentions, but instead are the natural result of these laws working in and through them.

In EJ, Arendt also inquires about Eichmann’s motivations and their role in the commission of his crimes. She concludes, “Eichmann was not Iago and not Macbeth, and nothing would have been farther from his mind than to determine with Richard III “to prove a villain.” Except for an extraordinary diligence in looking out for his personal advancement, he had no motives at all.” This quote could be interpreted as identifying careerism as Eichmann’s primary motivation in the commission of his crimes. Such a conclusion would certainly lead one to conclude that his evil deeds were the result of humanly comprehensible motives, since this would imply that he selfishly promoted his own ends at the expense of the lives of many innocent people.

However, to reach such a conclusion would go against Arendt’s analysis of the banality of evil, which makes clear that Eichmann’s thoughtlessness, not careerism, is the most important factor for understanding his crimes. It is therefore Eichmann’s failure or

\[372\] OT, 459.
\[373\] EJ, 287. As indicated at the outset of this chapter, however, it is impossible for anyone, including Arendt to have knowledge of Eichmann’s inner motives.
refusal to engage in the two-in-one dialogue with himself that explains how and why he became implicated in his horrific crimes, not his careerism. In addition, I would argue that it is possible to understand Eichmann’s careerism as a reflection of his conflation of his moral and legal responsibilities rather than his own selfish intentions, since doing his duty also always meant (until the end), doing his job. If thoughtlessness, rather than total domination or careerism, is the source of Eichmann’s crimes, the question remains: can thoughtlessness be considered a motive at all, let alone a humanly comprehensible one?

Upon first glance, Arendt’s thorough analysis of thinking, thoughtlessness, and the role of thoughtlessness in Eichmann’s crimes seems to suggest that thoughtlessness is something we can identify, analyze, and understand. However, a closer look at the particulars of her exploration of thoughtlessness negates the possibility that it could be considered a motive, let alone a humanly comprehensible one. This becomes clear first and foremost in Arendt’s insistence that thinking cannot produce any practical effects. Thus, although it can place limits on what one can and cannot do, by establishing conscience, it cannot practically motivate action. Second, even though Arendt provides a thorough analysis of thoughtlessness, in the end she concludes that thoughtlessness is incomprehensible. This is why she tells Scholem that thoughtlessness, and the banal evil it produces, “[I]s thought-defying, because thought tries to reach some depth, to go to the roots, and the moment it concerns itself with evil, it is frustrated because there is nothing. That is its “banality.””

Thus, although radical evil and banal evil are free from motive in different ways- radical evil because it emerges in a context of total domination, banal evil because it is the product of thoughtlessness, neither of them is the product of humanly

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374 Arendt to Scholem, “Eichmann in Jerusalem”, 56.
comprehensible motives. In this, at least, they seem to be in more in continuity with one another than Arendt would lead us to believe.

The second characteristic of radical evil in *On the Revolution* is that it is unpunishable and unforgiveable. Arendt gives three reasons for coming to this conclusion about radical evil, which I will consider in turn. However, before I do so, I would like to qualify this comparison by indicating that even a preliminary reading of *Eichmann in Jerusalem* reveals that banal evil, like radical evil, is unforgiveable. However, unlike radical evil, Arendt does not conclude that it is unpunishable.

This becomes evident first and foremost in Arendt’s explicit support of the court’s decision to hang Eichmann, a decision she even justified on her own terms (which will be explored further in this section). Such support demonstrates that Arendt maintains that banal evil, like radical evil, is unforgiveable. In fact, nowhere in her report does she consider the possibility that Eichmann should be, or could be forgiven for his crimes or absolved from the responsibility of his actions. By contrast, Arendt’s emphatic support of the death penalty in Eichmann’s case, a punishment that she considered appropriate in the face of his horrendous crimes,\(^375\) demonstrates that, unlike radical evil, banal evil is punishable. For these reasons, my comparison of radical evil and banal evil will focus more heavily on how and why Eichmann’s banal evil caused her to argue that it, unlike radical evil, is punishable, rather than on its unforgiveable nature (which it shares with radical evil).

\(^{375}\) This is contrary to some, such as Martin Buber, who objected to the sentence by arguing that it would function to “expiate the guilt felt by many young persons in Germany.” Cited in *EJ*, 251.
The primary reason Arendt argues that radical evil is unpunishable and unforgiveable is that it emerges in a context of total domination. Because total domination depends upon the destruction of the public realm, the only place where punishment and forgiveness are possible, there exists no one to release the actor from the unintended consequences of their actions (if we can call them that without the public realm) by forgiving them or punishing them. When considering Eichmann’s banal evil in this light, the question that needs to be answered is therefore whether or not Eichmann in fact lived and worked in a context where the public realm was destroyed, and therefore forgiveness and punishment became impossible.

Eichmann’s conclusion that he could see “no one at all who was opposed to the Final Solution” and that in performing his murderous duties he spoke and acted with the “voice of respectable society” seems to suggest an affirmative answer to this question. This conclusion on Eichmann’s part suggests that, as far as he could tell, the plurality of perspectives and opinions that constitute the public realm was effectively destroyed. Despite this seeming agreement, I would argue that Eichmann’s assessment of his context in this way needs to be qualified and considered in light of his thoughtlessness. After all, if we remember that he reaches this conclusion after “considering” not only the reactions of his peers and superiors (who would clearly have been like minded), but also Probst Grüber (who in reality was opposed to the “final solution”), it becomes clear that this conclusion is more the result of his failure or refusal to accurately consider the perspectives of others, as well as his own perspective (which he could have accessed by thinking), than an accurate assessment of his surroundings. This conclusion is also supported by Arendt’s insistence that Eichmann’s reliance on clichés, or his “inability to
speak” (without relying on these clichés), was “closely connected with his inability to think, namely to think from the standpoint of somebody else,” even though he did have these standpoints at his disposal.

That Eichmann had a variety of perspectives, as well as his own perspective, at his disposal (regardless of whether or not he considered them), indicates that his public realm was not completely destroyed. This is further evidenced by the fact that he did not live or work in a context of total domination. Although, as previously mentioned, he did visit concentration and exterminations camps, as well as Einsatzgruppen killings sites throughout his career; these were not sites where total domination, as Arendt conceives of it, occurred.

At the Einsatzgruppen sites, in most cases Jews were rounded up from their homes and shot en masse in forests. Thus, there was no systematic and targeted effort to destroy their judicial, moral, and individual persons before murdering them. At Chelmno and Treblinka, which were primarily killing centers, it is debatable how many stages in the process of total domination the victims would have experienced. Because Jews were transported to these sites from ghettos, they would already have been rendered stateless and denied civil rights, thus, their judicial persons would already have been destroyed. One could argue, based on the terrible conditions of the ghettos, whether their moral and individual persons were destroyed as well. However, Arendt’s analysis insists that total domination is achieved only in the concentration camps. Therefore, since those murdered at Chelmno and Treblinka were murdered immediately or shortly after their arrival, it seems that they were not totally dominated in the same way as those who suffered

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\[EJ, 49.\]
systematic humiliation and torture at camps such as Auschwitz, where, if one passed the first round of selections, they could survive under camp conditions for days, months, or even years. Although it is true that Eichmann visited Auschwitz many times, as I have previously indicated, he deliberately avoided witnessing the “worst” of what happened at this camp. He also never worked in a concentration camp, (the only place, Arendt argues where total domination was achieved), for any period of time.

It therefore seems that Eichmann’s banal evil, unlike radical evil, does not emerge in a context of total domination where the public realm was destroyed. Eichmann therefore did have other perspectives, including his own (which he could have accessed by thinking), at his disposal that he could have considered in the performance of his duties. His refusal to do so is therefore not the result of total domination, but instead of his own willful thoughtlessness. Therefore, since his crimes did not occur in a context of total domination, they remain, unlike radical evil, punishable at (at least potentially- a potentiality I dismiss later in this section), forgivable.

The second reason that Arendt argues that radical evil is unforgiveable and unpunishable is that it presents us with a vast discrepancy between the actions, or crimes, of the perpetrators and administrators and the possible punishments that might be meted out. Arendt reaches this conclusion about radical evil because it did not entail murder in the traditional sense, but the mass production of living corpses, of people deprived of spontaneity and natality. Therefore any form of punishment is inevitably incommensurate with this unprecedented crime.

When considered in light of Eichmann and the banality of evil, one could argue that this discrepancy is made even clearer. After all, Arendt’s analysis of the banality of
evil is motivated by her emphasis on the abyss that separates the ordinariness of 
Eichmann and his motivations from his evil deeds. In addition, the menial and 
bureaucratic nature of at least most of Eichmann’s day-to-day tasks, such as signing the 
transport lists, pales in comparison with the end result of his actions. Despite this 
discrepancy, Arendt does not conclude that his banal evil is unpunishable. In fact, in an 
interesting and revealing recognition of the unprecedented context in which Eichmann 
worked and acted, she agrees with the court in its determination that,

\[\text{(I)n such an enormous and complicated crime as the one we are now considering,}
\text{wherein many people participated, on various levels and in various modes of}
\text{activity- the planners, the organizers, and those executing the deeds, according to}
\text{their various ranks- there is not much point in using the ordinary concepts of}
\text{counseling and soliciting to commit a crime. For these crimes were committed en}
\text{masse, not only in regard to the number of victims, but also in regard to the}
\text{numbers of those who perpetrated the crime, and the extent to which any one of}
\text{the many criminals was close to or remote from the actual killer or the victim}
\text{means nothing, as far as the measure of responsibility is concerned. On the}
\text{contrary, in general the degree of responsibility increases as we draw further}
\text{away from the man who uses the fatal instruments with his own hands. (Arendt’s}
\text{Italics).}\]

It therefore seems that, contrary to radical evil, where the discrepancy between 
action (again, a problematic term considering the public realm has been destroyed), and 
result obscures our ability to mete out punishment, banal evil introduces the possibility 
that the greater the distance between the action and its result, the more severe the 
punishment required. This is evidenced particularly by Arendt’s support of the verdict of 
the court to mete out the ultimate punishment to Eichmann.

The third reason that Arendt gives for concluding that radical evil is unforgivable 
and unpunishable is that it emerges in a context of “total mobilization” where our

\[\text{377 This discrepancy is not, however, apparent in all Eichmann’s tasks, such as his}
\text{visits to the killing centers, which I described previously.}\]

\[\text{378 EJ, 246-7.}\]
traditional judicial standards of personal responsibility and punishment are obscured. In her analysis of Eichmann’s banal evil, Arendt reaches the same conclusion: that banal evil has confounded our judicial standards of personal responsibility and punishment. However, in this case, her conclusion is not the result of her recognition of the context of total mobilization in which Eichmann committed his crimes. In fact, when Eichmann attempts to appeal to total mobilization at his trial, in his attempt to exonerate or decrease his personal responsibility for his crimes, Arendt rejects his appeal and maintains that his crimes remain punishable despite this context.

You also said that your role in the Final Solution was an accident and that almost anybody could have taken your place, so that potentially almost all Germans are equally guilty. What you meant to say was that where all, or almost all, are guilty, nobody is. This is an indeed quite common conclusion, but one we are not willing to grant you... guilt and innocence before the law are of an objective nature, and even if eighty million Germans had done as you did, this would not have been an excuse for you. Luckily, we don't have to go that far. You yourself claimed not the actuality but only the potentiality of equal guilt on the part of all who lived in a state whose main political purpose had become the commission of unheard-of crimes. And no matter through what accidents of exterior or interior circumstances you were pushed onto the road of becoming a criminal, there is an abyss between the actuality of what you did and the potentiality of what others might have done.379

Arendt’s rejection of Eichmann’s appeal to total mobilization demonstrates that it is not total mobilization that leads her to conclude that his crimes have confounded our judicial standards of personal responsibility and punishment (which was the case for radical evil). Instead, it is the actuality of Eichmann’s crimes (regardless of the potentiality of others within this context). In examining how this actuality confounds our judicial standards, we must therefore investigate the particular, and in fact unprecedented nature that Arendt ascribes to both Eichmann as a criminal and to Eichmann’s crimes.

379 Ibid., 278.
In her identification of Eichmann as a new kind of criminal, Arendt is emphasizing the facts that his evil and monstrous deeds were not the product of malice or intent (like Kantian radical evil), or total mobilization (like radical evil in OT). Instead, they are the result of the particular internal and external factors that effected the reversal of his conscience, especially his own thoughtlessness. Identifying thoughtlessness as the key concept for understanding Eichmann’s crimes, especially in the context of the courtroom, the primary context for her analysis, indicates that they obscure our traditional standards of punishment and forgiveness not because they occur within a context of total mobilization, but instead because they confound our traditional legal system, wherein guilt and responsibility are measured in accordance with intent to commit a crime. This is why Arendt claims that, because of the very foundations of their profession, the prosecution and the judges were incapable of believing that Eichmann was not antisemitic or indoctrinated.  

In identifying Eichmann’s crimes, or Eichmann’s ultimate crime, as new and unprecedented, Arendt means to distinguish it from all crimes that have preceded it. Arendt makes this distinction clear in her report,

It was only when the Nazi regime declared that the German people not only were unwilling to have any Jews in Germany but wished to make the entire Jewish people disappear from the face of the earth that the new crime, the crime against humanity- in the sense of a crime “against the human status,” or against the very nature of mankind- appeared. Expulsion and genocide, though both are international offenses, must remain distinct; the former is an offense against fellow-nations, whereas the latter is an attack upon human diversity as such, that is, upon a characteristic of the “human status” without which the very words “mankind” or “humanity” would be devoid of meaning.  

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380 Ibid., 26.  
381 Ibid., 268-9.
It is for this reason that Arendt identifies Eichmann’s crime as “a crime against humanity perpetrated upon the body of the Jewish people.”\textsuperscript{382} Eichmann’s unprecedented crimes are therefore unprecedented not because of the nature of the Jewish victims, but instead because they intended to eradicate a portion of humanity from the planet. For this reason, they are a crime against humanity itself. Thus, even though the Jews were the principle victims of this crime, the crime is a universal crime against the human status as such.

In her report, Arendt argues that the court missed both of these aspects of Eichmann and his crimes. By representing him and his crimes as the culmination of the long history of Jew hatred and antisemitism, they failed to recognize the way in which he became implicated in systemic evil, particularly as a result of his thoughtlessness.\textsuperscript{383} By focusing specifically on Eichmann’s crimes against the Jewish people, rather than against humanity, she claims that it failed to recognize the universal nature of these crimes as crimes against humanity—against the human status.\textsuperscript{384}

Arendt’s identification of the unprecedented nature of Eichmann and his crimes therefore leads her, much like her analysis of radical evil did (although for different reasons) to conclude that they have obscured our traditional judicial standards of personal responsibility and punishment. However, as previously indicated, this does not lead her to conclude that Eichmann is not personally responsible for his crimes, nor that the court was not able to mete out a commensurate punishment. The question therefore becomes: if Eichmann and his crimes have confounded the judicial standards for measuring personal responsibility and meting out punishment, on the basis of what standards does Arendt

\textsuperscript{382} Ibid., 289.
\textsuperscript{383} Ibid., 26-17.
\textsuperscript{384} Ibid., 288-9
conclude that Eichmann remains personally responsible for his crimes and deserves the ultimate punishment?

The basis on which Arendt ascribes personal responsibility and punishment to Eichmann is in fact more universal than the court’s, which, she argues, his crimes have confounded. She claims that they have violated a higher and more universal order, an order that, when violated, merits the ultimate punishment.

Foremost among the larger issues at stake in the Eichmann trial was the assumption that intent to do wrong is necessary for the commission of a crime. On nothing, perhaps, has civil jurisprudence prided itself more than on this taking into account of the subjective factor. Where this intent is absent, where, for whatever reasons, even reasons of moral insanity, the ability to distinguish between right and wrong is impaired, we feel no crime has been committed. We refuse and consider barbaric the propositions “that a great crime offends nature; that evil violates a natural harmony which only retribution can restore; that a wronged collectivity owes a duty to the moral order to punish the criminal (Yosal Rogat). And yet I think it is undeniable that it was precisely on these long-forgotten propositions that Eichmann was brought to justice to begin with, and that they were, in fact, the supreme justification for the death penalty. Because he had been implicated and had played a role in a central enterprise to eliminate forever certain “races” from the surface of the earth, he had to be eliminated.385

And just as you supported and carried out a policy of not wanting to share the earth with the Jewish people and the people of a number of other nations- as though you and your superiors had any right to determine who should and should not inhabit the world- we find that no one, that is, no member of the human race, can be expected to want to share the world with you. This is the reason, and the only reason, you must hang.386

These excerpts demonstrate that although Eichmann and his crimes confounded our traditional judicial standards of responsibility and punishment they remain punishable because they violate a higher order than the courts- the universal order of mankind. This is why Arendt concludes that “these modern, state employed mass murderers need to be prosecuted because they violate an order of mankind, not because they killed millions of

385 Ibid., 277.
386 Ibid., 278-9.
people,” regardless of who these people happen to be, or why they were chosen as the particular victims.\footnote{Ibid., 272. From this quote, it is also particularly apparent why Arendt objected to the prosecution’s attempt to represent Eichmann’s crimes the culmination of the long history of Jew-hatred and antisemitism.} When such an order is violated, forgiveness becomes impossible. The only punishment possible is death, to be removed from the planet that you yourself attempted to diminish in its diversity. In this way, despite the fact that Arendt argues that Eichmann and his crimes have confounded our judicial system, her own condemnation of him and his crimes not only recognizes their unprecedented nature, but also condemns them on a much greater scale than that of the court.

This comparison of banal evil in light of Arendt’s previous analysis of radical evil reveals that unlike Kant’s radical evil, neither radical evil nor banal evil are the product of “humanly comprehensible motives.” Her encounter with Eichmann also does not prompt her to reconsider the unforgiveable nature that she had earlier ascribed to radical evil. The major shift between these two approaches to evil is therefore to be found in Arendt’s insistence that banal evil, unlike radical evil, is punishable. This conclusion results from the facts that banal evil does not emerge in a context of total domination; that the abyss between Eichmann and his crimes functions to increase his personal responsibility for them; and that they violate a higher and more universal order than the judicial standards of responsibility and punishment that they confound. These important distinctions between radical and banal evil would seem to support Arendt’s claim that she has in changed her mind, at least for the most part, about evil, as a result of her encounter with Eichmann.
Nevertheless, to conclude that Arendt completely changed her mind about evil or that she no longer holds to her previous analysis of radical evil in *OT*, is also, I believe, premature. Such a conclusion, after all, rests on the assumption that radical evil and banal evil are mutually exclusive, and that the existence of one negates the possibility of the other. However, despite the fact that Arendt explains to Scholem that she has completely “changed her mind” about evil and now believes that evil “is no longer radical,” there is nothing in her analysis (in *OT*, *EJ*, or subsequent writings), that suggests that these two kinds of evil are mutually exclusive.

In addition, the limited nature of radical evil, which according to Arendt in *OT* really only emerged in the concentration camps, implies that only a relatively small percentage of the crimes committed within the Nazi system can be understood as radically evil. Another explanation, or other explanations, therefore need to be offered for the masses who either participated in the crimes of the regime or became complicit in them, but who did not live or work in the concentration camps. Such a conclusion reflects the complexity of personalities and situational factors that make systemic evil and genocide possible and actual more accurately than simply affirming the reality of radical evil or banal evil.

Responses, Criticisms, Limitations: The Eichmann Controversy

The response to the publication of Arendt’s report, first as a series of articles in *The New Yorker* and then as a book, was immediate and passionate. This initial round of
controversy continued unabated for approximately two years. However, in many ways, this controversy has continued and has experienced several ebbs and flows that demonstrate that it remains highly pertinent for the field of Holocaust Studies. Recently, the controversy resurfaced on the fiftieth anniversary of the Eichmann trial in 2011, which occasioned various publications and events commemorating the trial and its importance for Holocaust Studies. Here in Toronto, for example, we had the 31st Annual Holocaust Education Week program, and the International Conference “The Trial of Adolf Eichmann: Retrospect and Prospect,” held at the University of Toronto from Sept. 8-10, 2012. More recently, Margarethe von Trotta’s film, Hannah Arendt, and Bettina Stangneth’s book have elicited many new (and also rehashed old), responses and critiques of Arendt’s trial report. In general, however, openness towards Arendt’s report has been more forthcoming as time has gone on. This is evidenced by the many recent events and conferences dedicated to the Eichmann trial.

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389 November 1-9, 2011. Presented by Sarah and Chaim Neuberger Holocaust Education Centre. This program included various speakers and events dedicated to the subject of the Eichmann trial, including talks by Michael Marrus, Peter Hayes, Doris Bergen, and Deborah Lipstadt. Although the focus of these events and talks was the Eichmann trial itself, Arendt was never far beneath the surface of these talks, and the discussion and questions they elicited.

390 This conference, put on in partnership with the German Historical Institute, included several distinguished speakers, such as Ronald Beiner, Rebecca Wittmann and James Waller, who revealed the lasting legacy of Arendt’s report and its importance for understanding and discussing the Eichmann trial. For a detailed report on this conference, see my review in the German Historical Institute Bulletin, 52 (Spring 2013), accessed June 2015, http://ghidc.org/index.php?option=com_content&view=article&id=1145&Itemid=1016
rethinkings of Arendt’s representation of Eichmann, and also by an increase in dialogue about her report, particularly in Israel.

It should be noted at this point that much of the controversy, indeed perhaps the majority of the controversy caused by Arendt’s report, centered around not only her representation of Eichmann, but also her judgment of the actions of the Jewish Councils. However, because my following chapter deals specifically with this latter aspect, this chapter focuses specifically on the critiques of Arendt’s representation of Eichmann and his crimes.

Before focusing on some of the responses and criticisms of Arendt’s report in this section, I will first consider some of the reasons why her report generated such passionate and virulent debate. Next, I will address some of the most prominent critiques of Arendt’s report that I believe are based on a misunderstanding of her representation of Eichmann and her argument regarding the banality of evil, before moving on to what is perhaps the most devastating critique of Arendt’s report, that she was simply wrong about Eichmann. I will consider this critique in light of the few commentators who defend Arendt’s representation of Eichmann, and also in light of the immense influence that her representation has had on attempts to understand perpetrator behavior in contexts of

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391 Many of these, such as studies by Dana Villa, Margaret Canovan, Peg Birmingham, Seyla Benhabib, and Dagmar Barnouw, have been the most important sources for my own thinking about Arendt, and their influence is apparent throughout this dissertation.

392 One prominent example of this is the conference, “Hannah Arendt in Jerusalem,” which was held in Tel Aviv in 1997. In his introduction to the papers delivered at this conference, and subsequently published in *Hannah Arendt in Jerusalem* (Berkeley: University of California Press, 2001), editor Steven E. Aschheim indicates that the reception to Arendt’s report and representation of Eichmann at this conference reflected not only a new found acceptance of this aspect of Arendt’s thinking, but an almost uncritical celebration and acceptance of it. 13-15.
systemic evil across the humanities. In conclusion, I will explore some of the limitations of the banality of evil for understanding perpetrator behavior during the Holocaust and other contexts of systemic evil before assessing this aspect of Arendt’s report in light of the criteria of reconciliation and prevention.

Why such Intense Controversy?

The intense and lasting nature of the controversy elicited by Arendt’s report seems to indicate that there is something more going on here than simply a sincere understanding and rejection of her representation of Eichmann. After all, as previously indicated in my introduction, the field of Holocaust has been defined and shaped by several debates, however, as Doris Bergen indicates, “only occasionally have arguments become full-blown controversies,” and even among those cases, the controversy elicited by Arendt’s report has certainly proven to be the most passionate and lasting. In cases where “full-blown controversies” have developed, “at least three elements have been present: one individual or a group of individuals has been the focus of attention; the controversy has played itself out in a public forum; and the stakes connected with the various positions have been high.”393 Each of these elements was not only present in the case of the Eichmann controversy, but also helps to explain its virulence and lasting nature.

The fact that the Eichmann controversy revolved around one individual as the focus of attention, and here I am referring to Arendt rather than Eichmann, goes without saying. It was Arendt who became the target of attacks, some of which were extremely

393 Doris Bergen, “Controversies About the Holocaust: Goldhagen, Arendt, and the Historian’s Controversy,” 143-174
personal and slanderous. As indicated in my first chapter, Dominique LaCapra tells us that the “subject position” of the analyst affects what they say about the Holocaust and how they say it. In this case, however, we can also see how the “subject-position of the analyst,” in this case Arendt, affects the reception of what they say. The aspect of Arendt’s personal identity, or “subject-position,” that most affected the reception of her report was her Jewish identity, and the particular relationship and history that she had with that identity.

Even before the publication of *EJ*, Arendt’s unusual relationship with her Jewish identity, coupled with her previously published critiques of Zionism had already led to her demonization in many Zionist, Jewish, and Israeli circles. This pre-existing reputation surely had an effect on the reception of her report in Jewish circles. This effect is made explicit in Scholem’s letter to Arendt, wherein he indicates that Arendt’s identification of

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394 Other commentators have focused on how Arendt’s gender affected the reception of report. For some interesting analyses of this see Jennifer Ring, “Race, Gender, and Judaism: The Eichmann Controversy as a Case Study,” in *The Political Consequences of Thinking: Gender and Judaism in the Work of Hannah Arendt*, 109-156 (Albany: State University of New York Press, 1997); as well as Ring’s “Hannah Arendt and the Eichmann Controversy: Cultural Taboos Against Female Anger” *Women and Politics* 18/4 (1998), 57-79; and Dagmar Barnouw, “The Obscurity of Evil: Listening to Eichmann,” in *Visible Spaces: Hannah Arendt and the German-Jewish Experience*, 223-251 (Baltimore: Johns Hopkins University Press, 1990).

395 This is confirmed by Mary McCarthy, who argues that, with few exceptions “It was as if *Eichmann in Jerusalem* had required a special pair of Jewish spectacles to make “its true purport visible.” “The Hue and the Cry,” 82; as well as by Dwight Macdonald, who argues, “that reaction in general [to Arendt’s report] divide among Jewish and non-Jewish lines.” “Arguments: More on Eichmann” *Partisan Review*, XXXI/23 (spring 1964), 253-283; 265.

396 Barnouw reaches a similar conclusion, “Her analysis of the Eichmann trial was dismissed by most of her Jewish critics as simply distorted by the apostate’s animus.” “The Secularity of Evil: Hannah Arendt and the Eichmann Controversy,” *Modern Judaism* 3/1 (1983), 76.
Eichmann as a Zionist (a critique I will treat in the next section), “could only come from somebody who already had a profound dislike of everything to do with Zionism.”

Arendt even concluded that her own history of criticism with Zionism led to the creation of a “targeted campaign” against her book that was launched by the Jewish establishment in Israel and the United States, even before it was published, and which prevented many people, especially Jews, from reading and understanding the book on its own terms. This is why she claimed that many of the criticisms of her book were directed at an “image” of a book that she never wrote, an image that she believes was purposefully created in order to demonize her and discredit her report.

The controversy surrounding Arendt’s report played out in the public forum. Although there were many important responses by respected intellectuals, Arendt’s

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398 Arendt explicitly argues that Scholem’s misunderstanding of her report is the result of the influence of this campaign, “It is a pity that you did not read the book before the present campaign against it got under way from the side of the Jewish “establishment in Israel and America. There are, unfortunately, very few people who are able to withstand the influence of such campaigns. It seems to me highly unlikely that without being influenced you could possibly have misunderstood certain statements.” Arendt to Scholem, “Eichmann in Jerusalem,” 54.
399 Arendt, “Answers to Questions Submitted by Samuel Grafton,” in The Jewish Writings, 476. Arendt expands upon this in a letter to McCarthy on Sept. 20, 1963, discussing some of the earliest refutations of her report. “The attempt by the political campaign people is to create an “image” which eventually will cover the real book. I cannot do anything against it…because an individual is powerless by definition and the power of the image-makers is considerable- money, personnel, time, connections, etc. My position is that I wrote a report and that I am not in politics, Jewish or otherwise.” Between Friends, 146. I have already worked towards problematizing Arendt’s claim that EJ simply constitutes a report or a “factual account,” (“Personal Responsibility Under Dictatorship,” 18) by discussing Arendt’s subjective comments about the tone, focus, players, and context of Eichmann’s trial. In addition, because Arendt’s report is in fact a detailed analysis of philosophical (such as the nature of evil- although she herself argued she was not engaging in this- more on this to come in this chapter), and political issues (such as the jurisdiction of the State of Israel), she is essentially, by discussing these issues, involving herself in them, whether intentionally or not.
reports were initially published in *The New Yorker*, a widely read magazine, and so her representation of Eichmann became a matter of public concern. One of the first public refutations of her report was made by Michael Musmanno, an American judge who presided at the Nuremberg SS-Einsatzgruppen trial. Musmanno’s refutation of Arendt’s representation of Eichmann, whom he insisted was a “man with an unspotted conscience,” not because his conscience had undergone a reversal, but because he was an ideologically committed Nazi who took great pride in his murderous achievements, was published in the *New York Times Book Review*. Thus, the forum was open here, and in many other public journals, such as *Life* Magazine (where, as previously mentioned, excerpts from the Sassen interviews were published in 1960), for letters to the editor and impassioned debate among public audiences.

Among intellectuals, the “ground zero” of the controversy was New York, where the most influential commentaries (both supporting and critiquing Arendt’s representation of Eichmann), were made by well-known figures in the literary scene, such as Lionel Abel, Daniel Bell, Marie Syrkin, Norman Podhoretz, and Mary

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McCarthy. The forum for these debates was mainly periodicals, such as Partisan Review, Midstream, and Commentary.

When considering the stakes involved in the Eichmann controversy, it becomes clear that they could not have been higher. Arendt’s representation of Eichmann and his evil as banal was a direct challenge and critique of the court and Ben-Gurion’s representation of Eichmann as the culmination of Jew-hatred and antisemitism throughout history, as well as the Israeli national narrative which this representation supported. However, and perhaps more significantly, she was also challenging a deep seated theological, philosophical, literary, and in fact cultural understanding of evil as rooted in evil intentions. The former struck at the heart of the post-Holocaust identity

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408 Anita Shapira explains how that national narrative and the “founding myths of the Jewish state,” were made explicit in Gideon Hausner’s opening speech, and how Arendt’s report went against it at every turn, “The Eichmann Trial: Changing Perspectives,” The Journal of Israeli History 23/1 (spring 2004), 18-21.
409 That Arendt was at least somewhat aware that her report posed this challenge is evident in the introduction to LM, where she states, “…I was dimly aware of the fact that it [her representation of Eichmann’s evil as banal] went counter to our tradition of thought- literary, theological, or philosophic- about the nature of evil. Evil, we have learned, is something demonic; its incarnation is Satan, a “lightening from heaven” (Luke 10:18), or Lucifer, the fallen angel…Evil men, we are told, act out of envy…Or they may be prompted by weakness…Or, on the contrary, by the powerful wickedness felt for sheer goodness…However, what I was confronted by [in Eichmann] was utterly different and still undeniably factual.” 3-4. A similar recognition is found in Arendt’s response to questions submitted by journalist Samuel Grafton in 1963, in which she indicates, “…as the phrase now stands- “banality of evil”- it is contrasted with “radical evil” (Kant) and, more popularly, with the widely held opinion that there is something demonic, grandiose in great evil, that there is even such a thing as the power of evil to bring forth something good.” The Jewish Writings, 479.
of the Jewish people and the Jewish nation. The latter shook the very foundations of how evil had been understood and explained in western consciousness.

The stakes of Arendt’s representation of Eichmann, coupled with her personal identity and history of criticisms of Zionism, and the public forum in which the controversy took place, certainly help to explain the voracity and lasting nature of the controversy that her report elicited. However, it should be added that Arendt also bears a large part of the blame for the reception of her report, as it was not simply what she said that was rejected and criticized, but how she said it. I have already discussed the condemnatory language that she used to describe the tone, players, and the context of the trial. In addition, she also employed irony throughout her report, which was lost on many of her readers and exacerbated the misunderstanding and controversy her report elicited.410 For these reasons, even some of Arendt’s most sympathetic commentators place much of the blame for the reception of her report on Arendt herself,411 concluding that her tone and delivery in her report are unsympathetic and even come across as “almost racist.”412

410 I discuss how this occurred as a result of Arendt’s discussion of Eichmann and Zionism later in the following section.

411 Young-Bruehl, 339-40, 244. By contrast, while acknowledging the problematic tone Arendt uses in her report, Villa argues that it is a direct reflection of her reaction to the “clash of the claims of justice with those of political education.” He therefore proposes that, “Her tone strikes the reader as imperious because she identified herself so completely with the demands of justice in a case where justice seemed, to many, either transindividual or a matter of secondary importance.” 43-4.

412 Seyla Benhabib, “Identity, Perspective and Narrative in Hannah Arendt’s Eichmann in Jerusalem,” History and Memory 8/2 (1966), 35-36. This is particularly the case in the letter Arendt writes to Jaspers describing Hausner as a “typical Galician Jew, very unsympathetic, is constantly making mistakes. Probably one of those people who don’t know any language. His argument artificial, overly legalists and with gross errors.” Arendt to Jaspers, Correspondence, April 13, 1961, 434. Because Arendt is here
Critiques of Arendt’s Report Based on Misunderstanding

As previously stated, many of the critiques of Arendt’s representation of Eichmann and his crimes were based on a misunderstanding of her argument about the banality of evil. I believe that most of these criticisms have already been negated by my own analysis of the banality of evil in this chapter, and so I will afford them only limited attention in this section.

Perhaps the most unfounded criticism of Arendt’s report was the accusation that she was sympathizing with, defending,\(^\text{413}\) and even exonerating Eichmann.\(^\text{414}\) In one way, this critique needs to be considered in connection with the claim (which I will address in the following chapter) that she was blaming the Jews for their own destruction by judging the Jewish Councils. Thus, she was accused not only of exonerating the Nazi perpetrator, but also of blaming the Jewish victims. However, whether considered in connection with Arendt’s representation and judgment of the Jewish Councils, or on its own, this critique of Arendt’s report is perhaps also the easiest to dispel.

That Arendt not only believed that Eichmann was personally responsible for his crimes, but also that he deserved to hang for them, is made clear in my previous analysis of how she reconsidered the unpunishable nature of evil, or at least radical evil, as a result of her encounter with Eichmann. In addition, the fact that Arendt holds Eichmann describing Hausner as a “typical Galician Jew,” her comments come across not so much as “almost racist,” but instead as racist.

\(^{413}\) Arendt cites the New York Daily News of May 20, 1963, which printed that Gideon Hausner stated that he “flew here [New York] to answer Hannah Arendt’s bizarre defense of Eichmann…The author would have you believe that Eichmann wasn’t really a Nazi, that the Gestapo aided Jews, that Eichmann was completely unaware of Hitler’s evil plans.” “The Formidable Dr. Robinson,” in The Jewish Writings, 509.

\(^{414}\) Michael Musmanno, “Man With an Unspotted Conscience,” 40-41, 40; Marie Syrkin, “Miss Arendt Surveys the Holocaust,” 7-14.
accountable for his crimes based on the fact that they violate a universal order that is higher than that of the Jerusalem court, and the fact that she considers them crimes against humanity rather than simply crimes against the Jewish people, indicates not only that she is not exonerating Eichmann, but that she in fact condemns him on a more universal level than the legal system under which he was tried and convicted.

Susan Neiman argues that this critique results from the conventional understanding of the connection between intentionality and culpability. We see this connection particularly in the legal context, where personal guilt is measured in accordance with intentionality to commit a crime. Based on this connection, Arendt’s critics assumed that she was also denying his personal responsibility, This is the source of the furor that continues to surround Arendt’s Eichmann in Jerusalem…The conviction that guilt requires malice and forethought led most readers to conclude that Arendt denied guilt because she denied malice and forethought- though she often repeated that Eichmann was guilty, and was convinced that he ought to hang. 415

Another unfounded criticism that arose from Arendt’s claim that Eichmann’s evil was banal was the charge that she was minimizing the sufferings of the Jews throughout the Holocaust. In other words, if Eichmann’s evil is the result of thoughtlessness rather than malicious intentions, if his “monstrousness” is diminished, then the unprecedented suffering of the Jewish people throughout the Holocaust also seems diminished. Arendt responds to this criticism by stating, “Why readers who read “banality of evil” should jump to the conclusion that “their sufferings are banal” is beyond me. It can be answered

only by another question: Why can’t Johnny read?”\(^{416}\) Arendt’s sarcastic reply demonstrates the degree to which she understood the sufferings of the Jewish people to be completely unrelated to her analysis of Eichmann’s conscience and motivations. As indicated in my previous chapter, these sufferings, particularly in the concentration camps, deeply saddened and in fact overwhelmed Arendt, as well as presented a stumbling block to her own goal in studying totalitarianism: understanding. In addition, although Arendt ultimately calls Eichmann’s evil banal, we must remember that she insists that his crimes and his deeds are “monstrous.” Thus, it is really only his motivations, and the man himself, that he calls banal, not his crimes, which does nothing to belittle the suffering of his victims.

Another unfounded criticism of Arendt’s report based on misunderstanding is the claim that she represented Eichmann as a mindless bureaucrat, who never identified with the spirit behind the laws that he blindly obeyed.\(^{417}\) As indicated at the outset of this chapter, this misunderstanding has led to the second pole of the mythology that now surrounds Eichmann and his crimes. These critics claim that Arendt misses the fact that Eichmann performed his duties with enthusiasm and zeal, that he took several initiatives throughout his career to ensure the destruction of the Jewish people, and that he even went against Himmler’s orders to cease the destruction of the Jews when it was clear the war had been lost, all of which they take to confirm that Eichmann was in fact ideologically committed to the laws and goals of the Nazi regime.\(^{418}\)

\(^{417}\) Cesarani, 11; Lipstadt, 165.
\(^{418}\) Hilberg, The Politics of Memory, 150; Stangneth, xv-xxv; Lipstadt, 163-165.
As my analysis has demonstrated, not only does Arendt take full account of the enthusiasm and zeal with which Eichmann followed his orders, but she also provides an explanation as to why he followed orders (not blindly), and why he refused to follow the order to cease the destruction of the Jews at the end of the war. The explanation is not that he was motivated by ideological commitment, even though some scholars still mistake this zeal a sign of such commitment (which goes completely against Arendt’s analysis of the banality of evil), but instead the result of his own thoughtlessness, coupled with his equation of moral and legal responsibility. Thus, the enthusiasm and the zeal with which he performed his duties is not a reflection of his ideological commitment, but instead of his commitment to be a law-abiding citizen.

The final unfounded criticism of Arendt’s report I will consider is the claim that she argues that Eichmann was a “convincing Zionist.” This criticism is surely the result of Arendt’s ironic tone in her report, as well as her history of criticising Zionism, as is made clear in Scholem’s letter to Arendt, wherein her claims that her identification of Eichmann as a Zionist, “could only come from somebody who already had a profound dislike of everything to do with Zionism.” Arendt responds to this misunderstanding in her reply to Scholem, “[I] never made Eichmann out to be a ‘Zionist.’” If you missed the irony of the sentence- which was plainly in oratorio oblique, reporting Eichmann’s own

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words- I really can't help it.”422 In fact, a quick glance at the context in which Arendt associates Eichmann with Zionism not only makes clear that it is not her that is calling him a Zionist, but in fact, she is ironically mocking his own identification of himself as such. She describes how he was commissioned by von Middlestein to read Theodor Herzl’s *Der Judenstaat*, and how as a result, he claimed he was converted “promptly and forever to Zionism.” However Arendt goes on to muse at the fact that this was likely the first book Eichmann ever read, and adds that,

> He even read another book, Adolf Böhm’s *History of Zionism*...and this was perhaps a considerable achievement on the part of a man who, by his own account had always been reluctant to read anything except newspapers, and who, to the distress of his father, had never availed himself of the books in the family library.423

If the obvious irony in this statement is not clear, Arendt’s analysis of Eichmann as a man whose crimes can be understood as a result of his thoughtlessness and equation of legal with moral responsibility also completely negates the possibility that he would have associated his duties as a law-abiding citizen with the Zionist cause.

There were, of course, more extravagant critiques of Arendt and her report, including the argument that she was a self-hating Jew,424 that she purposefully used Nazi sources and subconsciously internalized antisemitism,425 and that she lacked *Ahabath*

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422 Arendt to Scholem, “Eichmann in Jerusalem,” 54.
423 AJ, 41.
424 Leo Mindlin, “During the Week...as I See it,” *The Jewish Floridian*, March 15, 1963. This article also appeared in a pamphlet published by the Anti-Defamation League of B’nai B’rith meant to counter Arendt’s report and its negative effects. Cited in Steven E. Aschheim, ed. *Hannah Arendt in Jerusalem*, fn 16, p. 400.
Israel, “Love of the Jewish People,“ These kinds of personal attacks do not, however, critically engage any aspect of Arendt’s representation of Eichmann, and I do not believe they warrant sustained attention in this context. They simply demonstrate the veracity of the campaign that was targeted at Arendt, and the efforts to demonize her (personally) and her thinking (generally) that it included.

A Challenging Critique of Arendt’s Report

Putting aside the critiques of Arendt’s report that are based on misunderstanding, there remains one critique that has the potential to challenge her representation of Eichmann and his crimes. This is the argument, made by many commentators, that she was simply wrong about Eichmann, that her representation of him and his crimes does not reflect the historical facts. Raul Hilberg perhaps puts this the most clearly,

She did not recognize the magnitude of what this man had done with a small staff, overseeing and manipulating Jewish councils in various parts of Europe, attaching some of the remaining Jewish property in Germany, Austria, and Bohemia-Moravia, preparing anti-Jewish laws in satellite states, and arranging for the transportation of Jews to shooting sites and death camps. She did not discern the pathways that Eichmann had found in the thicket of the German administrative machine for his unprecedented action, she did not grasp the dimensions of his deed. There was no “banality” in this evil.

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426 Scholem to Arendt, “Eichmann in Jerusalem,” 51. Arendt’s reply to this charge reflects her status as an independent thinker, “You are quite right- I am not moved by any “love” of this sort, and for two reasons: I have never in my life “loved” any people or any collective- neither the German people, nor the French, nor the American, nor the working class or anything of that sort. I indeed love “only” my friends and the only kind of love I know of and believe in is the love of persons. Secondly, this “love of the Jews” would appear to me, since I am myself Jewish, as something rather suspect. I cannot love myself or anything which I know is part and parcel of my own person.” 54.

427 The Politics of Memory, 150.
Her critics propose many reasons why Arendt may have misunderstood and misrepresented Eichmann. David Cesarani suggests that this is the result of Arendt’s desire to make Eichmann fit the framework she had already provided for totalitarianism in *OT*. Deborah Lipstadt suggests that Arendt’s representation of Eichmann is based only on the limited portion of the trial that she witnessed. In his book-long refutation of Arendt’s report, *The Crooked Shall be Made Straight: The Eichmann Trial, the Jewish Catastrophe, and Hannah Arendt’s Narrative*, Jacob Robinson argues that Arendt’s inadequate knowledge of the historical background of the Holocaust, as well as her misreading of her sources resulted in her minimization of Eichmann’s role. In the most recent reexamination of Eichmann and his crimes, Stangneth argues that Arendt was fooled by Eichmann’s intentional belittling of his crimes and his role in the Nazi regime at his trial, where he argued that he was a “nameless, faceless, disposable minor official.”

My own analysis in this chapter works to dispel some of these critiques. Although Cesarani argues that Arendt intended to make Eichmann fit the model she had provided in *OT*, I demonstrate that she in fact had to reconsider many aspects of this model, especially her thinking about evil, as a result of her encounter with him. As regards

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428 Cesarani, 4.
429 In fact, Lipstadt suggests that, since Arendt’s authority as a trial reporter was based on her attendance at, and witnessing of, the entire trial, her failure to make clear that she in fact missed this cross-examination, as well as other parts of the trial, constitutes a “breach of faith” with her readers. *The Eichmann Trial*, 179-80.
430 Robinson, *The Crooked Shall be Made Straight*: viii, 12, 23, 30-31. Arendt published a reply to this book, “The Formidable Dr. Robinson”, in which she questions Robinson’s credentials, his methods in attacking her book, his ability to read effectively, and also accuses him of, like many others, of falling victim to the targeted campaign to create an “image” of her book as an “evil book.” *The Jewish Writings*, 496-511.
431 Stangneth, 3, xxiii.
Stangneth’s charge that Arendt was fooled by Eichmann’s representation of himself at his trial, I believe that we owe an intellectual of her standing quite a bit more credit than this allows. In addition, I have shown that Arendt’s report in no way confirms that Eichmann was nameless or faceless, but in fact argues that he was instrumental in the destruction of the Jews. It is therefore only his motivations, and not his actions (which, as I have indicated, she considered “monstrous”), that are banal.

In her reply to Robinson’s critiques, Arendt argues that much of his book is in fact based on his misreading of her report, and counters each of his critiques in turn. Where Robinson argues that she does not have accurate knowledge of the historical record, (in fact, he points out more than 400 historical errors in the report), Arendt counters that Robinson’s refutation is itself based on his own inaccurate knowledge, particularly regarding the Nazi legal system and the influence of antisemitism prior to the war. Where Robinson accuses her of misreading her sources, Arendt accuses him of misreading and misquoting her interpretation of these sources, which he often fails to realize consist of a combination of her own words, Eichmann’s, and the trial transcripts.

Because Arendt was not a historian there is a possibility, as Robinson suggests, that she may have based her representation of Eichmann on an inaccurate understanding of the European context before and during the war. However, as my first two chapters demonstrate, much (if not all) of Arendt’s thinking was directly influenced by her own experience of persecution and personal history under totalitarianism, in addition, she provides a detailed and thorough analysis of the system of totalitarianism in OT. It

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433 Ibid., 501.
therefore seems safe to conclude that, whether or not Arendt’s knowledge of this context if complete in the historical sense, it nevertheless seems to be complete enough to support her analyses of this period and also of Eichmann. In addition, I would argue that her representation of Eichmann and his evil does not stand or fall on a few facts or dates, and therefore cannot be discounted regardless of whether or not her report contains minor historical errors.

Deborah Lipstadt is not the first to note that Arendt based her report on a trial that she did not attend in full. Raul Hilberg indicates, “Judging from her subsequently published correspondences with Jaspers, she left Jerusalem after a stay of ten weeks, just three days before Adolf Eichmann’s own extensive testimony began.” In fact, these letters do reveal that Arendt left Jerusalem on June 24th, 1961, and Eichmann’s cross-examination began on July 13th. Lipstadt is correct in claiming that this is not something that Arendt discloses in her report, but something that researchers would need to investigate on their own to discover. However, whether or not witnessing this cross examination or other parts of the trial would have altered Arendt’s representation of Eichmann is something that neither she, nor anyone else, can speculate on. In addition, considering that much of this cross examination addresses whether or not Eichmann “regretted” his actions during the war, it is safe to presume that the transcripts from this section were an important source for Arendt in her investigations into his conscience.

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435 Arendt to Jaspers, Correspondence, June 16, 1961, 441.
436 Footage and a summary of this cross examination is available on the United States Holocaust Memorial Museum site, http://www.ushmm.org/online/film/display/detail.php?file_num=2419; The complete transcript of this cross-examination, which was session 96 of the trial, is available at http://www.nizkor.org/hweb/people/e/eichmann-ado/ transcripts/Sessions/index-04.html
Thus, whether or not she witnessed the cross-examination, she surely read and examined it carefully. This becomes especially clear in the numerous instances in which discusses, cites, and critically examines the cross-examination in her report.437

The Lasting Influence of the Banality of Evil

While it is easy to find those who object to Arendt’s representation of Eichmann, it is much more difficult to find those who defend it and agree with her in her representation of him as “thoughtless.” One of the first to come to Arendt’s defense in the immediate wave of controversy was Bruno Bettelheim, a psychologist and survivor of the concentration camp system. Bettelheim defended Arendt’s argument that Eichmann’s crimes were not the product of antisemitic commitment, as well as her insistence that these crimes needed to be recognized not as a continuation or culmination of centuries of Jew-hatred, but instead as symptomatic of modern systemic evil within the totalitarian state.438

Another early defender of Arendt’s representation of Eichmann was Mary McCarthy, who published an article in Partisan Review in 1964 responding to some of Arendt’s most vehement critics (including Abel and Syrkin), whom she calls

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437 EJ, especially 4, 21, 24, 30, 48, 53, 56, 94, 124, 137, 242. What Arendt did not have at her disposal, however, was the extensive notes (totaling over 8000 pages) that Eichmann kept from the time of his incarceration to his execution (May 1960–May 1962), many of which pertained directly to his trial and his defense. Based on his analysis of these notes, Fabien Théofilakis argues that Eichmann was active in in shaping his own defense, as well as in creating and manipulating his image at his trial. Thus, he challenges Arendt’s representation of him as a thoughtless bureaucrat. “Adolf Eichmann à Jérusalem ou le procès vu de la cage de verre (1961-1962),” Vingtième Siècle. Revue d’histoire (4/2013), 71-85.

“propagandists.”

In this piece, McCarthy also confirms Arendt’s representation of Eichmann,

Smoothly and efficiently—almost peacefully. This was the fearful characteristic of the Final Solution, and for this, Eichmann, the transportation expert, was the perfect instrument. Of course six psychiatrists pronounced him normal; he was normal and average and therefore perfectly fitted for the job, which was to “make the wheels run smoothly,” in both a literal and figurative sense. His function was to normalize the Final Solution. With his conceit and his boasting, his pompous homemade clichés and “winged words,” he was at once ridiculous and ordinary, for ordinariness carried to its zenith is absurd.

More recently, as my heavy reliance on Villa in my section on the banality of evil indicates, Villa joins the ranks of those few who defend Arendt’s representation of Eichmann. In his *Politics, Philosophy, Terror*, Villa also clarifies this representation by providing a thorough analysis of how that representation is reflected in Arendt’s analysis of Eichmann’s conscience. He is joined by another scholar who has, in large part, informed this dissertation, Susan Neiman.

Beginning from an acceptance of Arendt’s arguments about the banality of evil, Neiman concludes that Eichmann is just one in a series of “modern” perpetrators she identifies as exemplifying “contemporary evil.”

Arendt’s account is crucial in revealing what makes Auschwitz emblematic for contemporary evil. It showed that today, even crimes so immense that the earth itself cries out for retribution can be carried out by people with motives that are no worse than banal. Flamboyant villainy is easy to recognize, and not hard to avoid. The lines between wickedness and decency, in yourself and others, can be drawn with relative clarity. Criminals like Eichmann have none of the subjective traits we use to identify evildoers, yet his crimes were so objectively massive that they made subjective factors irrelevant. His attempts to prove he was perfectly normal were as arduous as the prosecution’s attempts to prove he was not. Both attempts were wasted, if what’s at issue is what’s appalling: the most

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439 Mary McCarthy, “The Hue and Cry,” 82.
440 Ibid., 86.
441 Neiman, *EMT*, 238.
unprecedented crimes can be committed by the most ordinary people. It is this factor that Auschwitz shares with other contemporary cases of mass murder— for all the other differences between them. In contemporary evil, individuals intentions rarely correspond to the magnitude of evil individuals are able to cause.  

Other than these scholars, most of those who defend Arendt’s representation of Eichmann do not do so not on the basis of an agreement with her analysis of Eichmann and his crimes, but instead in response to the tremendous amount of influence her representation of Eichmann has had. This is reflected in the fact that it continues to be at the forefront of nearly all studies on Eichmann, the Eichmann trial, and the nature of evil. In fact, I would argue that there are virtually no articles or books that have been written on any of these topics since the publication of Arendt’s report that do not at least mention Arendt, even if they use her representation of Eichmann as a foil to argue against. This was made particularly clear at the two events in Toronto I mentioned previously, the 31st Holocaust Education Week program and the International Conference on the “Eichmann Trial: Retrospect and Prospect.” Even though Arendt was the primary topic of only a few papers or panels at these events, her report and its reception proved to be front and center in the papers and comments of nearly every speaker.

The influence and in fact transformative effect that Arendt’s representation of Eichmann has had in the social sciences was made clear by James Waller, in one such paper, presented at the International Conference on the Eichmann Trial: Retrospect and Prospect.

442 Ibid., 273.  
443 Stangneth’s book is perhaps the most recent example here. One of the more recent and influential theorists on the nature of evil, Claudia Card, who proposes her own theory on evil in Confronting Evils: Terrorism, Torture, Genocide (Cambridge University Press, 2002), also makes evident the immense amount of influence Arendt’s representation of Eichmann had on her thinking, as well as on thinking about evil more generally.
Waller argued that Arendt’s analysis of Eichmann’s banal evil has revolutionized the way in which perpetrator behavior is understood in contexts of systemic evil, and has been instrumental in allowing scholars to explore the role of social structures in determining individual behavior.\footnote{Waller, “Coming to Terms With the Banality of Evil,” paper presented at the International Conference on the Eichmann Trial: Retrospect and Prospect, September 8-10, 2012.} His own subsequent work, in *Becoming Evil: How Ordinary People Commit Genocide and Mass Killing*, is a perfect example of this influence in his own field, social psychology.\footnote{In this work, Waller identifies the cultural, psychological, and social influences that help to understand how “ordinary” people commit genocide and mass killing. A diagram identifying these factors, which his book expands upon, is found on p. 138.}

It is also possible to see this influence in several formative studies of perpetrator behavior in Holocaust Studies such as the works of Christopher Browning,\footnote{In his *Ordinary Men*, Browning discusses the many factors that led 500 members of Police Battalion 101, a group of middle-aged men working class men from the city of Hamburg (one of the least Nazified in Germany) to become involved in the shootings of at least 83,000 Jews, 1.} Ervin Staub,\footnote{This is particularly apparent in Staub’s *The Roots of Evil: The Origins of Genocide and Other Group Violence*, where Staub analyzes the “continuum of destruction,” that implicates people across society in contexts of systemic evil and violence (Cambridge University Press, 1989), 17.} Gitta Sereny,\footnote{Gitta Sereny, *Into that Darkness: An Examination of Conscience* (New York: Vintage Books, 1983).} and Wendy Lower.\footnote{In her recent *Hitler’s Furies* (New York: Houghton Mifflin Harcourt Publishing Company, 2013). Wendy Lower examines the role of “ordinary” German women, who would become nurses (in the T4 euthanasia program), teachers (of ideology in Poland), secretaries (for the *Einsatzgruppen* squads), and mistresses and wives of SS soldiers. Initially, they were motivated not by antisemitism but instead by the opportunities that the “wild west” of the emerging Nazi empire offered them. Lower presents chilling examples of how these women became increasingly involved and implicated in the hands-on killing of Jews, the most horrific examples of which come from the wives of SS officers.} Each of these scholars begins from the presumption that in most cases Nazi perpetrators, or perpetrators in other contexts of
systemic evil, were not sadists or psychopaths. They therefore attempt to identify the processes these individuals underwent within the context of the Third Reich to be transformed into killers. These contributions, which come from various disciplines (philosophy, psychology, history, etc), all build upon Arendt’s analysis of the effects of systemic evil on individual behavior, even if they do not accept her representation of Eichmann as its prime example. In some cases, these scholars openly admit the influence of Arendt’s report on their thinking. For example, in his *Collected Memories: Holocaust History and Postwar Testimony*, Browning asserts, “For the record, let me state that I consider Arendt’s concept of the “banality of evil” a very important insight for understanding many of the perpetrators of the Holocaust, but not Eichmann himself.”

The influence of Arendt’s report, and the rethinking of perpetrator behavior in light of the social, cultural and historical circumstances, or, of the systems to which they belong, on the individuals who become implicated in their crimes, indicates that even if Arendt was wrong in her representation of Eichmann, the theory that she has (perhaps inadvertently- more on this in the next section) provided has been tremendously influential in the attempt to understand perpetrator behavior on a more general level. Therefore, although Arendt may not have been correct in her assessment that the problem of evil would be the “fundamental question of postwar intellectual life,” her report and her representation of Eichmann has played a “crucial role in the formation and creation of

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the ubiquitous postwar “discourse on evil,” one in which Nazism and Auschwitz have become emblematic of western culture’s conceptions of absolute inhumanity.”

Those scholars who apply the process model in their attempt to understand perpetrator behavior in contexts of systemic evil also offer a new way to understand the role that ideology may have played in Eichmann’s crimes.\textsuperscript{453} In fact, when understood in light of these scholars’ works, it becomes possible that Arendt’s claim that Eichmann’s crimes were not motivated by ideological commitment, which is essentially the aspect of her representation of him that is most contested, and in some cases (particularly in Stangneth’s new book), rather convincingly refuted, could be considered more of a reconsideration of the role of ideology in Eichmann’s crimes, rather than a negation of that role. In fact, this reconsideration reflects much of the recent scholarship on the role of “ordinary” people that has been celebrated and has shaped the field in the past decades. According to this reconsideration, ideology is not considered the primary motivational factor that led to the commission of crimes by ordinary people in contexts of totalitarian rule, however, it is still accorded an indispensable place in these contexts, as it provides a rationalization and a justification for complicity and participation in these crimes after the fact.

When considered in this context, it becomes clear that Arendt’s explanation of Eichmann’s evil as banal is not so different from the story we hear in Christopher Browning’s groundbreaking study of Reserve Police Battalion 101. Here was a group of


\textsuperscript{453} The remainder of the material in this section comes from a paper I presented at the University of Toronto’s Center for Jewish Studies Graduate Student Conference, in April of 2012, entitled, “Banality Reconsidered: The Process from Ambivalence to Compliance, or “It is Pointless to Swim Against the Stream.”
middle-aged working class men from the lower classes of German society, who came for 
the most part from Hamburg, one of the least Nazified cities in Germany. Beginning in 
1941, these 500 former dockworkers, truck drivers, and office employees, left their 
families and participated in the shooting deaths of at least 38,000 Jewish men, women, 
and children. If we include their participation and facilitation of deportations to killing 
centers, they were personally and intimately involved in the deaths of at least 83,000 
Jews.

Browning tells us that among these men ideological conviction varied a great 
deal, and that they were not “brainwashed” by Nazi propaganda to any extent that could 
explain their actions as resulting solely from such motivations. The questioning of the 
motivational role of ideology in the members of this police battalion seems to mirror the 
challenge to radical evil posed by Arendt. In fact, the compatibility of Arendt’s concept 
with this scholarship is even recognized by Lipstadt, who is one of Arendt’s most 
formidable critics, “Her [Arendt’s] contention that many of the perpetrators were not 
innately monsters or diabolical creatures but “ordinary” people who did monstrous things 
not only seems accurate but is the accepted understanding among most scholars of the 
perpetrators.

Because these scholars agree with Arendt’s claim that evil deeds within this 
context need not be the direct result of ideological commitment (even if they do not agree 
with Arendt’s representation of Eichmann in this way), it becomes necessary to explain 
how these ordinary people became implicated to this degree in the crimes of the Nazi

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455 Ibid., 225.
456 Ibid., 179.
regime. The foremost explanation that is provided here is a process model, whereby the factors that lead seemingly normal people to actively participate in systemic evil are identified and analyzed. This process model was applied by Peter Hayes in his panel discussion with Michael Marrus and Doris Bergen, at the University of Toronto in November of 2011 at Toronto’s 31st Annual Holocaust Education week. Here, Hayes identified the four steps that led employees of corporations such as Degussa and IG Farben to become increasingly complicit in the crimes of the Third Reich.

Much like the other studies on the role of ordinary people in this context (including Eichmann, at least according to Arendt), Hayes identifies the attitude of the leaders and employees of these corporations at the outbreak of the war as one of “ambivalence.” By this he means simply that many people counted Jews as their personal friends, and yet harbored resentment towards Jews in general. They entertained stereotypes such as the Jewish world conspiracy, but saw no problem with working alongside individual Jews, or even having Jews as personal and close friends. And yet, in the latter stages of the war, when the killing of the Jews was well under way, and these companies had become complicit in a variety of ways, from benefiting from the slave labor of concentration camp inmates, to supplying the Zyklon B that was used in Auschwitz’s gas chambers, Hayes describes the leaders and even the lower echelons of these companies as virulently and violently committed to antisemitic ideology.

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So, what happened between 1933 and 1945? Hayes identifies a series of progressive steps that transformed these ambivalent corporate leaders and workers into antisemites. First, at the outbreak of the war, they realized that corporate interests meshed with Nazi interests. In other words, it didn’t matter whether you agreed with the Nazis or not, they were good for business, and it was in the interest of business to work with them. Second, once they started working with the Nazis, regardless of whether they felt themselves to be aligned with them ideologically, they became dependent on the state for their continued operation. Third, in a context where war and disorder became the norm, the desire of employees to be part of a community and an organization where they belonged and their well-being was secured, such as their corporation, became primary and previously held standards of morality and judgment became secondary. Finally, as these corporations became increasingly complicit in the destruction of the Jews in various ways, they internalized antisemitic ideology in order to justify their deeds and actions. Therefore, for these corporate leaders and employees, Hayes claims, ideology served not only as a motivational factor for their acts, but instead as a rationalization and justification for them.\textsuperscript{460}

If it is possible to trace this sort of a process as active in the leaders and employees of these corporations, why not also in Eichmann? Essentially, this is exactly what Arendt does in her report, and I have identified the many factors that she explicitly identifies in this process including the “language games” of the regime, his thoughtlessness and his equation of moral and legal responsibility. Although Arendt does not conclude that Eichmann adopted antisemitic ideology at any point, her analysis also

\textsuperscript{460} Ibid.
does not preclude the possibility that, although he was not initially motivated by this commitment, it could have developed in him gradually, in accordance with his increasing complicity with the regime, and his desire to justify his actions.

This consideration suggests that the presence of antisemitic commitment later in his career, or even at his trial, does not necessarily negate Arendt’s claim that he was not initially motivated by such commitment, or her representation of his evil as banal. Instead, it points to a process whereby he was transformed from an ordinary person who experienced a crisis of conscience when performing his murderous duties, to someone who performed these duties for motives as banal as careerism and personal vanity, to someone who justified this participation, to himself and others, along ideological lines.

To rethink the role of ideology in this way, not as a motivational factor but instead as a justification, does not, I believe, accord to it any less of an indispensable place in Eichmann’s crimes. I also do not feel that it excludes the fact that once such commitments were adopted and internalized, they served as the motivation for his subsequent acts of violence. It simply attempts to explain how someone who did not subscribe to such views initially can become complicit in horrible acts, and then later adopt them on principle.

The Limitations of the Banality of Evil

Arendt’s concept of the banality of evil is not without its limitations in the attempt to understand and represent the Holocaust and other cases of systemic evil. Two such potential limitations have already been discussed in my analysis thus far. First, since many argue that Arendt was in fact wrong about Eichmann and his banal evil, the
possibility arises that her analysis cannot contribute to understanding perpetrator behavior more generally. However, as I have demonstrated, even those who disagree with Arendt’s representation of Eichmann acknowledge the lasting, even transformative, influence it continues to have for helping us to understand perpetrator behavior in contexts of systemic evil. Second, as I have already demonstrated, the banality of evil, like Arendt’s earlier concept of radical evil, is limited in its ability to explain perpetrator behavior, both in the context of the Holocaust and in other contexts of systemic evil. In other words, just as radical evil emerged only in the concentration camps, where total domination was achieved, only a portion of the actions of those in this context can be considered to be motivated by “thoughtlessness.” Nevertheless, I have argued that, because these two concepts are not mutually exclusive, holding them together, and even alongside Kant’s understanding of radical evil (and perhaps others theories as well), helps to account for the complexity and variety of motivations, experiences, and situational factors within contexts of systemic evil.

Dagmar Barnouw points out another limitation of Arendt’s representation of Eichmann. It seems that in her shift from the system to a single perpetrator (from OT to EJ), Arendt’s focus has shifted from the dynamics of a system to the psychology of individuals, or at least one individual, in times of crisis. Thus, Arendt seems to have become “uninterested in the social psychology of modern mass societies in times of crisis.” Barnouw is correct in her charge that Arendt concerns herself primarily with the motivations and psychology of one man. However, I would argue that she also makes clear the ways in which Eichmann is himself influenced not only by the system that he

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461 Barnouw, Visible Spaces, 9.
belonged to, but also by the others who belonged to it. For example, in my analysis of the banality of evil in terms of the factors that led to the reversal of Eichmann’s conscience, there are several indications as to how Eichmann’s membership in the Nazi elite, as well as his interactions with others (both inside and outside that inner circle), affected his own thinking (or non-thinking).

Perhaps the most prominent example here is the influence of the Wannsee conference and the “Pontius Pilate” feeling it instilled in him. It is true that Arendt still explains the effect of this event on Eichmann as an individual. However, it is doubtful, in fact completely unlikely, that this event would have had this effect on Eichmann had he not attended the conference as an elite of the Nazi party and understood his own identity within that context. This group identity also influenced the way in which Eichmann interpreted his interaction with Probst Grüber, whom he concluded was not opposed to the “final solution” per se, but only to its extreme methods.

In a similar vein, as an elite of the Nazi party, in many ways Eichmann had the luxury of thoughtlessness. In other words, for him to stop appealing to his inner thinking partner benefited him greatly. Not only could he now perform his duties without being bothered by his pesky conscience, he also could advance in his role and prestige unabated by its influence. In a similar vein, Eichmann personally benefitted from the comfort that he took in being a law-abiding citizen, and, once he equated his moral and legal responsibility, probably was the happiest and most successful he had been in his entire life. Although the case could be made that other members of Nazi society (and not just the Nazi party) also were thoughtless and justified their complicity with the regime by dedicating themselves to a life of obedience to the law, Eichmann’s position and role
within the Nazi elite certainly facilitated these factors for him, and also ensured that they worked to his advantage.

Despite this defense of Arendt’s representation of Eichmann, Barnouw’s point remains a valid one, and more work could certainly be done on the ways in which not only Eichmann, but “modern mass societies” react in times of crises. Even those studies that focus on group dynamics in contexts of systemic evil, such as Staub’s *The Roots of Evil* and Waller’s *Becoming Evil*, ultimately identify the social and cultural factors that contribute to systemic evil and genocide in order to consider the psychological factors that contribute to individual participation in systemic evil and genocide. Nevertheless, I would argue that such an approach is important, since, in the end, it is individuals who act, and who must be considered accountable for their actions (as Arendt insists, despite total mobilization).

The most serious limitation of the banality of evil, and one which I have for the most part completely disregarded in writing this chapter, is Arendt’s claim that in describing Eichmann’s evil as banal she “held no thesis or doctrine,” but something quite factual, “pointing to the phenomenon that stared one in the face at the trial.” In other words, Arendt maintained that the banality of evil was a phenomenon that was limited to Eichmann’s particular case, and not a general theory about evil that could be applied either beyond his particular case or beyond his particular context. This claim of Arendt’s presents the most serious potential limitation of her representation of Eichmann and his evil as banal, not only for understanding perpetrator behavior more generally, but

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463 “Thinking and Moral Considerations,” 159.
464 *EA*, 287.
also for my own purposes in this dissertation. After all, if the banality of evil is a phenomenon limited to Eichmann, then it can only (potentially) reconcile us to his own particular evil deeds, and can do nothing to help prevent compliance with systemic evil in other contexts.

It is possible to overcome this limitation, I believe, simply by turning to Arendt’s wider context of work. Here, the reader finds plenty of insistences in which Arendt herself seems to understand the banality of evil in a general way, as a phenomenon that was not limited to Eichmann’s particular case. Perhaps the most glaring of these indications, which I have already identified in my first chapter, is that she spent much of the remainder of her life, after publishing *EJ*, thinking through the connection between evil and the thinking capacity. In fact, the question that motivated and permeates her final and unfinished work, *LM*, is “‘Might the problem of good and evil, our faculty of telling right from wrong, be connected with our faculty of thought?...Could the activity of thinking as such...be among the conditions that make men abstain from evil-doing or even actually “condition” them against it?’”⁴⁶⁵ If banal evil, which in its essence posits a connection between the thinking capacity and evil, was a phenomenon that was limited to Eichmann’s particular case, it seems strange that Arendt would preoccupy herself with this connection so intensely for the remainder of her life, and do so in a thorough study which contains no mention of Eichmann other than the introduction, where she explains that her encounter with him motivated her analysis.

There is also evidence that Arendt was already beginning to understand the banality of evil in a generalized way in the immediate aftermath of the publication of her

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⁴⁶⁵ *LM*, “‘Thinking,’” 5.
report. For example, in her 1963 exchange of letters with Gershom Scholem (the same
year the book was published), she indicates that she intended to continue to “elaborate”
on her identification of evil as banal, and that “Eichmann may very well remain the
concrete model of what I have to say.”

Another convincing piece of evidence that Arendt understood banal evil as
something that was not limited to Eichmann’s particular case is her ongoing concern with
thoughtlessness, which was the key concept for understanding Eichmann’s banal evil. It
is possible to see this concern as far back as OT, continues in HC and EJ, and also her
subsequent writings, particularly her 1971 essay “Thinking and Moral Considerations”
and LM. In each of these cases, thoughtlessness means something slightly different,
however, EJ is the only context in which it is discussed as a phenomenon that is limited
to Eichmann’s particular case.

As indicated in my previous chapter, in OT (published twelve years before EJ),
thoughtlessness is closely connected to the mind’s submission to the inner logicality of
ideology. This submission is an important step in eliminating the possibility of natality-
the capacity to think and act spontaneously. In this context, it is certainly not the few, but
in fact the masses who are swayed by ideology and therefore become thoughtless.

In HC, (published five years before EJ) Arendt identifies thoughtlessness as “the
heedless recklessness or hopeless confusion or complacent repetition of “truths” which
have become trivial and empty,” and indicated that thoughtlessness “seems to me among
the dominant characteristics of our time.” She describes how “thoughtlessness”
emerged with modernity, and particularly with the advent of society. Here, for the first

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466 Arendt to Scholem, “Eichmann in Jerusalem,” 56.
467 HC, 5.
time, people began to uncritically adhere to strict rules and prescriptions of behavior. They conformed to the frameworks that society provided, and became less likely to consider these frameworks critically, by engaging in the two-in-one dialogue with themselves that would allow them to evaluate them critically.\(^{468}\)

The thoughtlessness that Arendt identifies in Eichmann is quite different from the thoughtlessness that she describes in *OT*. Because she insists that Eichmann was not motivated by antisemitic or ideological commitments, his thoughtlessness cannot be considered the result of the submission of his mind to the inner logicality of ideology. Instead, it conforms much more closely to his uncritical/ unthinking adherence to the rules and prescriptions of society (i.e.: his commitment to be a law-abiding citizen). It therefore seems strange that Eichmann’s thoughtlessness, and the banal evil that it made possible would be a phenomenon limited to his particular case, since it seems to conform so closely to what Arendt claims in *HC* is the “dominant condition of our time.”

In her “Thinking and Moral Considerations” (published twelve years after *EA*), Arendt again generalizes thoughtlessness in order to examine its role in evil doing. However, she makes no mention in this essay of Eichmann (again, other than her introduction where she claims that he serves as the motivation for her analysis),\(^{469}\) nor does she discuss the particular thoughtlessness she encountered in his case as something different from the general thoughtlessness she examines, and which she identifies as an ever-present potentiality for everyone. In *LM*, Arendt continues to engage thoughtlessness in this way, and goes into greater detail on how it works to establish conscience, and therefore limits what we can do.

\(^{468}\) Ibid., 38-47.
\(^{469}\) “Thinking and Moral Considerations,” 159.
This survey reveals that, despite Arendt’s consistent concern with thoughtlessness, EJ is the only context in which she considers it, or at least the banal evil it makes possible, to be limited to his particular case. In other words, if thoughtlessness is possible for everyone, then it does not stand (based on her own writings), that the banality of evil is a phenomenon that is limited to Eichmann’s particular case. The question therefore arises, why did Arendt have such explicit reservations about generalizing the banality of evil, if she herself seems to engage it (or at least the thoughtlessness that makes it possible), in this way in her previous and subsequent writings?

One possible reason for her reservations is that she was concerned that the generalization of the banality of evil would lead to an over-generalization, which would obscure Eichmann’s particular case and context. This is why she objected to the conclusion that many reached after reading her report: that there was an “Eichmann in each one of us,” “Oh no! There is none in me and none in you! This doesn’t mean that there are not quite a number of Eichmanns. But they look really quite different. I always hated this notion of “Eichmann in each one of us.” This is simply not true. This would be as untrue as the opposite, that Eichmann is in nobody.”

To come to the conclusion that there is an “Eichmann in each of us” is therefore to miss the specifics of Arendt’s analysis of Eichmann and his context. For one thing, although thoughtlessness is the prerogative of many or all, Arendt’s representation of Eichmann in her report suggests that he was particularly prone to thoughtlessness. Her biography of him emphasizes the fact that he was a failure and a disappointment his

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entire life, and therefore longed for the prestige and acceptance of belonging and the respect of his peers and superiors. His personal history reveals that he was someone who was never inclined to think critically, or perhaps to think at all about his actions or his surroundings. He was a “joiner” who had always assessed his personal worth in accordance with his belonging to an organization, but also an ambitious man, who, having been a failure his entire life, longed for the respect and prestige of his peers and superiors (something he would have likely considered more important than his own personal moral reservations).

From a humdrum life without significance and consequence, the wind had blown him into History, as he understood it, namely, into a Movement that always kept moving and in which somebody like him—already a failure in the eyes of his social class, of his family, and hence in his own eyes as well—could start from scratch and still make a career.

The combination of Eichmann’s tendency to be a “joiner,” his longing for acceptance in the eyes of his peers and his superiors, as well as his tendency, even before the war, to very rarely, if ever, engage his two-in-one dialogue partner, made him particularly thoughtless, presumably more prone to thoughtlessness than most.

The other central aspect of Arendt’s report that concluding that there is an “Eichmann in each of us” misses is the particular context of systemic evil within which he worked and lived. Although I have argued that EJ represents a shift away from the system and devices of totalitarianism and towards the inner motivations of a particular perpetrator, Arendt still very much understands Eichmann’s crimes within this system,

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471 A characteristic that Arendt indicates was central in his decision to join the Nazi party in the first place, rather than antisemitic commitment or even sympathy with the Party program (which she indicates he had no prior knowledge of). EJ, 32-33.

472 Ibid., 33.
and in accordance with his increasing involvement in it. This is why she is so careful to emphasize the fact that he was normal and possessed a conscious, and why and how she is able to answer the questions of how his conscience was reversed. Such a reversal would not have been possible without the particular factors that made up his experience in and of systemic evil. In other words, without these factors, Eichmann may have continued to think, his conscience may have continued to operate in the expected way, and he may never have equated his moral and legal responsibility, thus effectively reversing his conscience.

At this point, it should be clear that most of us would not consider ourselves to be particularly prone to thoughtlessness, as Eichmann was, nor do we have the misfortune of living in a totalitarian society where our propensity to thoughtlessness could be encouraged by factors such as those Eichmann encountered. In fact, for the most part, it is our good fortune that we can live our lives without constantly critically thinking about our actions and their consequences, and still do not become implicated in systemic evils on the same level as Eichmann. This is why Arendt actually maintains that thinking is something we need to engage in only “in the rare moments when the chips are down.” In other words, when acting in accordance with the rules and conventions of society presents us with a crisis of conscience.\footnote{473 “Thinking and Moral Considerations,” 189.}

Because I believe that Arendt herself, despite her reservations, understood the banality of evil as a phenomenon, or at least a potentiality, that was not limited to Eichmann’s case, in considering whether it functions to fulfill the criteria of reconciliation and prevention, I will also use it in this generalized way. However, as my
dissertation remains rooted in Arendt’s overall representation of the Holocaust, of which I believe her representation of Eichmann and his banal evil is a central part, I will do my best to also always take into account the particularities of Eichmann’s personal history and particular context of systemic evil when evaluating it in this way.

Evaluating Arendt’s Representation of the Holocaust: Reconciliation

Although Arendt does not explicitly identify her goal in reporting on Eichmann’s trial, like she does her engagement with totalitarianism, as understanding, her report and representation of him belong to her continued commitment to this goal, which consisted of both an “attentive facing up to” (reconciliation), and “resisting” of reality- “whatever that might be” (prevention). Thus, this representation, like her former engagement with totalitarianism, can be evaluated according to these two criteria.

In examining whether Arendt’s representation of Eichmann and his evil as banal functions to fulfill the criteria of reconciliation, I will be asking whether it functions to make the Holocaust comprehensible by identifying the factors that made it possible and actual, and whether it identifies the processes, methods, and devices, that functioned to implicate people at various levels of society.

Perhaps the greatest accomplishment of Arendt’s representation of Eichmann and his evil as banal, and one that is recognized by her critics and supporters alike, is that it has, in fact, made Eichmann’s evil comprehensible. It accomplishes this by demythologizing this evil. As mentioned previously, one of the reasons for the controversy and misunderstanding surrounding Arendt’s report is that it challenged the long-standing (Kantian) tradition wherein evil deeds are connected to evil intentions.
According to such an understanding, people do evil because they want to, because they choose to promote their own selfish ends over the wellbeing of others. If they choose to subvert the moral law in this way continually, they develop a tendency to do so, and therefore become, in essence, evil people.\textsuperscript{474}

These kinds of characters, which color our “theological, literary, and philosophic”\textsuperscript{475} traditions, according to Claudia Card, contribute to “myths that evil-doers must be monsters and that the human race can be divided into the good (most of us) and the evil (“them”)”\textsuperscript{476} If evildoers are monsters, often even represented as inhuman or demonic in form, evil itself becomes the stuff of mythology rather than reality, something foreign to our experience of the world (as good and moral people), and something that therefore remains beyond our comprehension. To demythologize evil is therefore to claim that it is not (or not only) committed by monsters that are wholly unlike us, that it is comprehensible, and that we have the capacity to understand it.

Demythologizing evil, and thus making it comprehensible, is a concern of Arendt’s in both her account of radical evil in \textit{OT} and her account of banal evil in \textit{EJ}. In fact, her personal correspondences with Jaspers reveal that she hesitated to use the term radical evil in \textit{OT}, which she often replaced with absolute evil, because it maintained the possibility of alluding to a “satanic greatness” in evil that her analysis of total domination (by identifying the factors that made it possible and the devices and methods that implicated people at various levels of society- like terror and ideology)

\textsuperscript{474} Kant, \textit{Religion Within the Boundaries of Mere Reason}, 6:20-32.  
\textsuperscript{475} \textit{LM}, “Thinking,” 3.  
\textsuperscript{476} Card, \textit{Confronting Evils}, 10.
negates.\textsuperscript{477} Even more so than \textit{OT}, and in different ways, Arendt’s analysis of Eichmann’s evil as banal functions to demythologize evil and remove any trace that might remain of “satanic greatness”. It accomplishes this not only by identifying the factors that made this evil possible and actual, but also in her insistence on the superficiality of Eichmann and his motivations, her choice of the term banal to describe his evil, and her use of the fungus metaphor to explain it.

Much like her analysis of totalitarianism, which identifies terror (which became total in the camps) and ideology as central factors that made the reality of total domination possible and actual, Arendt’s account of Eichmann and his banal evil is a detailed description of the factors that made his own complicity in systemic evil possible and actual. These factors, including the “language games” of the regime, the fact of war (in his own estimation), his conclusion that everyone was in agreement with the “final solution,” his thoughtlessness, and his conflation of moral and legal responsibility demythologize his banal evil by explaining exactly how it became possible and actual by effecting a reversal of his conscience. In this way, Arendt succeeds in taking full account of Eichmann’s evil deeds—by “facing up to them attentively.” However, she does so without making them the stuff of monsters or mythology, but instead, the result of the particular combination of factors that constituted Eichmann’s particular experience of systemic evil. Thus, his evil deeds become comprehensible.

In addition to identifying the factors that explain Eichmann’s crimes, Arendt’s representation of Eichmann and his banal evil further demythologizes evil (at least banal evil), by emphasizing Eichmann’s ordinariness and superficiality. Her representation of

his personal history, which depicts him as a “joiner” who yearned for the acceptance of his peers and superiors, coupled with her analysis of his behavior in court, especially his reliance on clichés and “winged words” demonstrate his utter superficiality. In fact, Arendt even argues that Eichmann’s “only personal distinction was perhaps his extraordinary shallowness.” This superficiality makes it impossible to consider Eichmann a monster. In fact, he is so mundane, so not only like us but in fact inferior to the rest of us in his superficiality, that Arendt maintained not only that he was not a monster but that it was “difficult indeed not to suspect that he was a clown.” A superficial clown who yearns for acceptance and belonging does not resemble the great evildoers of the literary tradition.

In addition, it is not simply Eichmann that Arendt portrays as superficial but also his motivations. Thoughtlessness, after all, unlike malice, or vengeance, or even greed, is not the stuff of mythology. Instead, it is an ever-present potentiality for everybody, and the result of our failure to engage in the two-in-one dialogue with ourselves. Therefore, by insisting on the superficiality of Eichmann and his intentions, Arendt demythologizes both the man and his crimes. They each become comprehensible, not the stuff of legends that are imbued with “satanic greatness,” but the result of failure to think and superficiality.

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478 “Thinking and Moral Considerations,” 159.
479 EJ, 54.
480 Arendt explicitly indicates that Eichmann was “not Iago or Macbeth, and nothing could have been farther from his mind than to determine with Richard III to “prove a villain.” EJ, 287
Arendt’s choice to call Eichmann’s evil banal\textsuperscript{481} also works towards its demythologization by making it not the stuff of mythology and monsters, imbued with satanic greatness, or any greatness at all, but something ordinary, even boring. Neiman explains,

Calling evil banal is a piece of moral rhetoric, a way of defusing the power that makes forbidden fruit attractive….She [Arendt] therefore sought descriptions of evil that resist the urge to give it “Satanic greatness,” for such urges are both puerile and dangerous. The ironic tone she took towards Eichmann was entirely calculated. It’s a tone that creates distance in place of desire…. The diabolic can be ambiguous; the ridiculous cannot. To call evil banal is to call it boring. And if it is boring, its appeal will be limited.\textsuperscript{482}

In other words, if the diabolical and monstrous appeals to us in its “satanic greatness,” banal evil, by contrast, is not only comprehensible, but boring, and without any kind of mythological otherness or allure.

Perhaps the most striking way in which Arendt demythologizes Eichmann’s banal evil is in her use of the fungus metaphor to describe it in her reply to Scholem. Here, she explains, “It is indeed my opinion now that evil is never “radical,” that it is only extreme,

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\textsuperscript{481} In his letter to Arendt, Scholem calls this a “catchword” that is not the “product of profound analysis” and a “slogan” that would require, for it to be more than that “to be investigated, at a serious level, as a relevant concept in moral philosophy and ethics.” Arendt replies, “Incidentally, I don't see why you call my term “banality of evil” a slogan or catchword. As far as I know no one has used the term before me; but that is unimportant).” “Eichmann in Jerusalem,” 53, 56. In actuality, the term had been used before in a correspondence regarding the nature of evil, however, it was by Jaspers, in a letter to Arendt discussing, not Eichmann’s evil, but the evil of totalitarianism. In fact it is actually in opposition to the “satanic greatness” of Nazi crimes that Jaspers suggests this term: “You say that what the Nazis did cannot be comprehended as a “crime”- I’m not altogether comfortable with your view, because a guilt that goes beyond all criminal guilt inevitably takes on a streak of “greatness” of satanic greatness- which is, for me, as inappropriate for the Nazis as all the talk about the “demonic” element in Hitler and so forth. It seems to me that we have to see these things in their total banality, in their prosaic triviality, because that is what truly characterizes them.” Jaspers to Arendt, Correspondence, Oct. 19, 1946, 62.

\textsuperscript{482} Neiman, \textit{EMT}, 302.
and that it possesses neither depth nor any demonic dimension. It can overgrow and lay waste the whole world precisely because it spreads like a fungus on the surface.\footnote{Arendt to Scholem, “Eichmann in Jerusalem,” 56.} In addition to the fact that Arendt here explicitly claims that banal evil lacks any “depth or demonic dimension,” the fungus metaphor also functions to effectively negate any “satanic greatness” we might be inclined to attribute it. After all, a fungus, regardless of the fact that it has the power to lay waste an entire forest (or the entire world) is little more than an annoyance and a nuisance. It is not incomprehensible, since we understand how and why it grows, and it is not beyond our capacity to “face up to attentively”, or to confront and overpower (more on this in the next section on prevention).

By demythologizing evil, or at least Eichmann’s evil, Arendt contributes to making the Holocaust, or at least this particular perpetrator’s actions throughout the Holocaust, comprehensible. This is counter to representations of the Holocaust that see it as something unique and incomparable to other historical events, with perpetrators who are wholly (or radically- according to Kant’s version), evil.\footnote{For example, Emil Fackenheim, To Mend the World: Foundations of Post-Holocaust Jewish Thought (Bloomington: Indiana University Press, 1982), 9-13, 233-239.} While such representations aim to emphasize the distinctiveness of the Holocaust, as well as the tragedy that befell its victims, Yehuda Bauer argues that they place the Holocaust outside of human history and experience and thus result in its trivialization.\footnote{Yehuda Bauer, Rethinking the Holocaust (New Haven: Yale University Press), 14-16.} By contrast, Arendt’s representation of Eichmann and his evil as banal not only maintains the monstrous nature of his crimes, but also makes them, and him, explicable.
Although Arendt’s demythologization of Eichmann’s and his banal evil functions to fulfill at least part of the criteria of reconciliation by identifying the factors that made it possible and actual, the question remains whether it identifies the processes, methods, and devices that implicated others at various levels of society. In one way, this is an unfair demand to make of Arendt’s report, which, as I have indicated, she insisted was a trial report that was only meant to analyze Eichmann’s particular case. In another way, since I am arguing that the banality of evil is a general theory or concept that can be applied beyond Eichmann’s particular case, it must be able to explain the compliance of at least some other people in the context of Nazism, and also in other contexts of systemic evil.

Although others would surely not have been exposed to the same factors as Eichmann, since they did not share his personal history (as particularly prone to thoughtlessness), or his particular position and experience within the regime, I have already suggested that Arendt’s insistence that thoughtlessness is an ever-present potentiality for everybody suggests that it may help to account for the complicity of others within the Nazi system and in other contexts of systemic evil. This suggestion is further supported by Arendt’s further investigations of the complicity of “ordinary” people in the Holocaust in essays written in the years immediately following *EJ*, particularly “Some Questions of Moral Philosophy” (1965-6) and “Personal Responsibility Under Dictatorship” (1968).

In these essays, Arendt provides a more thorough investigation of what she began to explore in *EJ* as the “moral collapse” of respectable society. She argues that this collapse was the result of ordinary people, or people who were not ideologically
committed to the goals and policies of the Nazi regime, abandoning the moral
frameworks that had guided them throughout their lives prior to the rise of the Nazi
regime, whether informed by religion, politics, family, or any other institution, and
replacing these with the new rules, conventions and morals of the Nazi regime.

Interestingly, Arendt argues that this kind of a “switch” of moral frameworks occurs most
quickly and easily in those who are accustomed to understanding and orienting
themselves in the world according to a strictly defined framework,

In this respect, the total moral collapse of respectable society during the Hitler
regime may teach us that under such circumstances those who cherish values and
hold fast to moral norms and standards are not reliable: we now know that moral
norms and standards can be changed overnight, and that all that then will be left is
the mere habit of holding fast to something. 486

Thus, Arendt concludes, in the face of the Nazi regime,

It was as though morality, at the very moment of its total collapse within an old
and highly civilized nation, stood revealed in the original meaning of the word, as
a set of mores, of customs and manners, which could be exchanged for another
with no more trouble than it would take to change the table manners of a whole
people. 487

This “moral collapse” posed Arendt far greater consternation that the deeds of
those within the regime who were, according to the Kantian definition, radically evil. She
explains, “we were outraged, but not morally disturbed, by the bestial behavior of the
storm troopers in the concentration camps and the torture cellars of the secret police, and
it would have been strange indeed to grow morally indignant over the speeches of the
Nazi bigwigs in power, whose opinions had been common knowledge for years.” 488 For
Arendt, these villains did not present a moral problem. This arose only with the

486 “Some Questions of Moral Philosophy,” in Essays in Understanding, 45.
487 Ibid., 43.
“coordination” of people who do not share the evil intentions of the leader(s) of the system.

The moral issue arose only with the phenomenon of “coordination” that is, not with fear-inspired hypocrisy, but with this very early eagerness not to miss the train of History, with this, as it were, honest overnight change of opinion that befell a great majority of public figures in all walks of life and in all ramifications of culture, accompanied, as it was, by an incredible ease with which lifelong friendships were broken and discarded. In brief, what disturbed us more was the behavior not of our enemies but of our friends, who had done nothing to bring this about.\textsuperscript{489}

Although these “friends” were surely not exposed to the same factors in the same ways as Eichmann, their reliance, or “holding fast” to societal conventions, and their inability or refusal to consider these conventions critically, outside the dominant framework of the time, implies that they were engaging in the same kind of thoughtlessness as Eichmann. This kind of thoughtlessness, or “complacent repetition of truths” bears close resemblance not only to Eichmann’s thoughtlessness, but also to the thoughtlessness that emerged with the advent of society and the rise of behavior rather than action, which Arendt analyzes in \textit{HC}.\textsuperscript{490}

Despite the potentiality of thoughtlessness to explain the “coordination” of others within the Nazi context, Arendt’s writings do little to explain their actions in the same way that they do Eichmann’s. Other than considering if or to what extent they were exposed to the same, or similar, factors and processes as Eichmann, we are left wanting in the quest to trace the processes, methods, and devices that explain how and why they switched moral frameworks (other than the simple fact that it was their habit to do so, which seems simplistic). Thoughtlessness is therefore the only “resource” Arendt’s

\textsuperscript{489} Ibid.
\textsuperscript{490} \textit{HC}, 5.
representation of Eichmann, or her subsequent analysis of “moral collapse” provides for explaining the complicity of “ordinary” people within this context, or our own complicity in other contexts of systemic evil.

Significant contributions in this regard are the many studies that further investigate the role and complicity of “ordinary” people in the Holocaust in light of various social, cultural, and psychological factors, including the work of James Waller, Christopher Browning, Ervin Staub, Gitta Sereny, and Wendy Lower, which I have previously cited in this chapter. Although the work of Browning, Sereny, and Lower is particularly focused on the Holocaust, Waller and Staub’s work also focuses on how “ordinary” people become complicit in other contexts of systemic evil.

Thus far I have argued that Arendt’s representation of Eichmann has fulfilled the criteria of reconciliation and Arendt’s goal of understanding by making Eichmann’s evil, and to a lesser extent evil in general within the context of the Holocaust and other contexts of systemic evil, comprehensible. However, banal evil also seems to present a fundamental obstacle to reconciliation as Arendt conceived of it. For Arendt the reconciliation that was sought in her attempt to understand totalitarianism was between herself (or the individual) and the world. This brings up some crucial questions: Even if we understand banal evil and can identify the factors that made/make it possible, how is it possible to feel at home in, and continue to love a world in which such evil is an ever-present potentiality (since it was unprecedented)? How are we to continue to orient ourselves in this world and to experience it as a place imbued with meaning if evil is no longer solely the prerogative of recognizable monsters, but instead the work of ordinary and superficial human beings who fail to think in contexts of systemic evil?
These questions make Arendt’s personal “confession” to McCarthy in a letter the year after *EJ* was published, seem all the more puzzling. Here, she confides,

> [Y]ou were the only reader to understand what otherwise I have never admitted—namely that I wrote this book [*EJ*] in a curious state of euphoria. And that ever since I did it, I feel—after twenty years [since the war]—light-hearted about the whole matter. Don't tell anybody; is it not proof positive that I have no “soul?”

The explanation of this curious statement, and the answers to these questions, are to be found in considering if and how the banality of evil fulfills the criteria of prevention.

### Evaluating Arendt’s Representation of the Holocaust: Prevention

The second part of Arendt’s goal to understand totalitarianism is to “resist” reality—whatever it might be, or, prevention. In this chapter, like the previous one, prevention can only really grow out of a sincere understanding, which I believe Arendt has provided in her analysis of the banality of evil. The fungus metaphor is perhaps the best illustrator of the important connection between understanding and prevention. Even though it has the potential to “lay waste an entire civilization,” because a fungus is not mysterious or demonic, but banal and comprehensible, its roots are “shallow enough to pull up.”

> In other words, a fungus, like banal evil, is therefore confrontable and preventable. Neiman explains,

> The fungus metaphor thus signals evil that can be comprehended …Arendt was convinced that evil could be overcome only if we acknowledge that it overwhelms us in ways that are minute. Great temptations are easier to recognize and resist [here referring to traditional evil—or Kant’s version of radical evil], for resistance comes in heroic terms. Contemporary dangers begin with trivial and insidious steps. Once these have been taken, they lead to consequences so vast they could hardly have been foreseen. The claim that evil is banal is a claim not about

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492 Neiman, *EMT*, 303.
magnitude but about proportion: if crimes that great can result from causes that small, there may be hope for overcoming them.\textsuperscript{493}

Arendt’s use of the fungus metaphor therefore signals that, having understood banal evil in terms of its perpetrator (Eichmann), his motivations, and the processes that implicated him in the policies of systemic evil, we remain capable of being at home in the world because we have at our disposal all of the resources required not only for understanding, but also for preventing banal evil, or, our own thoughtlessness and compliance in systemic evil. This explains why Arendt wrote EJ in a “curious state of euphoria,” she was elated at the realization that despite the horrific potentialities of banal evil, it remains not only comprehensible, but also confrontable and preventable. In this section, I will consider whether Arendt’s representation of Eichmann and his evil truly accomplishes this, or allows us to “resist reality” by considering whether it helps us to identify, confront, and prevent compliance with systemic evil in its initial and later stages, and on the individual and international level.

When considering this on the individual level, it is important to start from Arendt’s insistence that there is not an “Eichmann in each one of us.” Nevertheless, Arendt’s analysis of the banality of evil does imply that if we, like Eichmann, find ourselves in a context of systemic evil, we also have the potential to become complicit in the policies and goals of these systems. This complicity need not result from an identification with or sympathy for the policies of these systems, but instead from our own thoughtlessness, our tendency go along with the norms and conventions of society without considering them critically by engaging in the two-in-one dialogue with

\textsuperscript{493} Ibid., 302-3.
ourselves. This could be interpreted as a very distressing possibility. It also places us in an unprecedented position of personal responsibility for our own actions. Fortunately, Arendt does not leave us alone (not even with our thinking partner), in our efforts to prevent our compliance with systemic evil, in its initial and later stages. Instead, she provides us some guidance, by alerting us to the resources we have within ourselves.

The most important of these resources is our ever-present thinking capacity. This capacity is what allows us to critically examine the norms and conventions of society, in other words, the status-quo, and to resist compliance with systemic evil even in instances of moral collapse. This resistance is possible only because evil has been revealed to be a “surface phenomenon… [Thus] We resist evil by not being swept away by the surface of things, by stopping ourselves and beginning to think- that is, by reaching another dimension than the horizon of everyday life.” What becomes clear from Arendt’s representation of Eichmann and his evil is therefore that our most important resource for confronting and preventing banal evil, or, our own thoughtless compliance in systemic evil, is to establish roots and to look beyond the surface of things, to engage in the two-in-one dialogue with ourselves, and think.

Arendt’s report in fact demonstrates that such thinking would have prevented Eichmann’s compliance with systemic evil at every stage of his career. Had he taken the time to learn and think about the policies and the goals of the Nazi regime prior to joining the organization (which she insists he did not), he likely would never have become an active member. Had he been particularly prone to thinking, he likely would not have been as susceptible to the “language games” of the regime, and would have demonstrated a

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refusal to be guided by the “winged words” and clichés of the regime. Even after the
Wannsee conference, when he was convinced (as I have argued mistakenly) that no one
at all disagreed with the “final solution,” he still had the possibility of appealing to his
own internal thinking partner, which would (as it had before- when he diverted the train
headed to the Einsatzgruppen site) have altered the actions he took within this context, or,
as Arendt indicates thinking and the establishment of conscience does, limited what he
could do. In fact, it was only once Eichmann had completely equated his moral and legal
responsibility, and thus effectively reversed his conscience, that his dialogue partner was
completely silenced. However, Arendt’s insistence that thinking, like thoughtlessness, is
the ever-present prerogative of everybody still suggests that Eichmann may have been
able, perhaps even despite his particular thoughtlessness, to engage his internal partner at
this late stage.

Even if we do not exist in a context of systemic evil as extreme as totalitarianism,
getting into the habit of questioning and critically considering the status-quo and the
norms and conventions that define it is something that Arendt’s analysis of the banality of
evil suggests is necessary, since this extreme context did not happen on the moon\textsuperscript{495} but
here on earth. Her report and later writings demonstrate just how quickly norms,
conventions, and rules can be exchanged for new ones if one is not in the habit of
examining them critically. Thus, getting into the habit of thinking, of critically examining
norms and conventions even before the “chips are down” may in fact increase our
chances of preventing our own compliance in systemic evil. Arendt confirms this in her

\textsuperscript{495} Arendt, “Understanding and Politics,” 310.
reflections on what accounted for the non-participation of “ordinary” people within the context of Nazism,

I would therefore suggest that the non-participants were those whose consciences did not function in this, as it were, automatic way - as though we dispose of a set of learned or innate rules which we then apply to the particular case as it arises, so that every new experience or situation is already prejudged and we need only act out whatever we learned or possessed beforehand. Their criterion, I think, was a different one: they asked themselves to what extent they would still be able to live with themselves after having committed certain deeds; and they decided that it would be better to do nothing, not because the world would be changed for the better, but simply because only on this condition could they go on living with themselves at all...The precondition for this kind of judging is not highly developed intelligence or sophistication in moral matters, but rather the disposition to live together explicitly with oneself, to have intercourse with oneself, that is, to be engaged in that silent dialogue with themselves which, since Socrates and Plato, we usually call thinking. This kind of thinking, though at the root of all philosophical thought, is not technical and does not concern theoretical problems. The dividing line between those who want to think and therefore have to judge by themselves, and those who do not, strikes across all social and cultural or educational difference...[In contexts of moral collapse] much more reliable will be doubters and the skeptics, not because skepticism is good or doubting wholesome, but because they are used to examine things and to make up their own minds. Best of all will be those who know only one thing for certain: that whatever else happens, as long as we live we shall have to live together with ourselves. 496

Thus, whether or not we exist in a totalitarianism context, it is a good thing for us to get into the habit of thinking in order to foster our tendency to “examine things and make up ...[our] own minds.” In addition, and although I am cautious to maintain Arendt’s important distinctions between totalitarian society and other cases of systemic evil, particularly in non-totalitarian contexts, the reality is that our experience in and of the world necessarily involves our own participation in various systems- political, social, and cultural. It goes without saying that many of these systems promote social and economic injustice as well as a status quo that enforces inequality among (arbitrarily

defined- according to this status-quo’s norms) groups (such as race, gender, class, sexuality, etc). For this reason, thinking can help us not only to recognize the negative effects of these systems, but also to prevent our own thoughtless compliance with them.

Arendt’s analysis of the gradual way in which Eichmann became increasingly implicated in the systemic evil of the Nazi regime should also alert us to the step-by-step way in which we can also become involved in systemic evil. This should caution us against the dangers of gradually acceding to political and social customs and mores that we disagree with, since this can be a slippery slope to thoughtlessness about, or complicity in, greater systemic evils. Thus, Arendt’s representation of Eichmann and the banality of evil provide resources for preventing compliance with systemic evil in its initial stages. Thinking also remains the key to this resistance when systemic evil is in later stages, as Arendt maintains that even in contexts of “moral collapse,” it remains capable of offering us a dissenting voice (our own), and thus limiting what we can do.

In considering if Arendt’s representation of Eichmann and his banal evil helps to identify, confront, and prevent compliance with systemic evil on the international level, the most important consideration is her identification of Eichmann’s crimes as “crimes against humanity” and as unprecedented. As indicated in my previous chapter this entails not only that these crimes are distinct from all others that preceded them, but also that they remain a potentiality in our world. Arendt explains,

It is very nature of things human that every act that has once made its appearance and has been recorded in the history of mankind stays with mankind as a potentiality long after its actuality has become a thing of the past. No punishment has ever possessed enough power of deterrence to prevent the commission of crimes. On the contrary, whatever the punishment, once a specific crime has
appeared for the first time, its reappearance is more likely than its initial emergence could ever have been.⁴⁹⁷

Because Arendt argues that Eichmann’s unprecedented crimes exploded the limits of the legal system, she insisted that the recognition of their unprecedented nature offered the possibility that international law may be reformed in order to properly identify, assess, and prosecute them. Although she recognized that this was an ideal, it was nevertheless one she believed we needed to strive for if any member of the human race is to be granted security on the planet, in other words, if we are to be able to prevent these crimes in the future.

It is essentially for this reason: that the unprecedented, once it has appeared, may become a precedent for the future, that all trials touching on “crimes against humanity” must be judged according to a standard that is still an “ideal.” If genocide is an actual possibility of the future, then no people on earth—least of all, of course, the Jewish people, in Israel or elsewhere—can feel reasonably sure of its continued existence without the help and the protection of international law. Success or failure in dealing with the hitherto unprecedented can lie only in the extent to which this dealing may serve as a valid precedent on the road to international penal law. And this demand, addressed to the judges in such trials, does not overshoot the mark and ask for more than can reasonably be expected. International law, Justice Jackson pointed out at Nuremberg, “is an outgrowth of treaties and agreements between nations and of accepted customs. Yet every custom has its origin in some single act… Our own day has the right to institute customs and to conclude agreements that will themselves become sources of newer and strengthened international law.”⁴⁹⁸

Because Arendt maintained that the court in Jerusalem, by placing Eichmann’s crimes as the culmination of the long history of antisemitism, failed to recognize their unprecedented nature, she argues that these crimes missed the opportunity they might have had to contribute to international law. By contrast, William Schabas, leading expert in international criminal law and human rights, argues that the Jerusalem court did in fact

⁴⁹⁷ EI, 273.
⁴⁹⁸ Ibid., 273-4.
rise to the challenge of the unprecedented nature of Eichmann’s crimes in many ways. He also explains that Eichmann’s trial has served as a precedent, and in fact a transformative one, for the development of international law.499

This can be seen first and foremost in the court’s recognition of the distinction between crimes of genocide and crimes against humanity. Contrary to Arendt, who argues that the court failed to make this distinction by identifying the crime of genocide as “crimes against the Jewish people,” Schabas maintains that the court’s use of this term is meant only to identify the particular victims of this universal crime (which it understood according to the UN’s 1948 Convention of the Prevention and Punishment of Genocide).500

That the court understood the universal crime of genocide (despite its identification according to its particular victim) as distinct from crimes against humanity (which are not genocidal in intent or nature) is apparent in the final verdict, which concluded that it could not find Eichmann guilty of crimes against the Jewish people (or genocide) prior to 1941, when the (official) policy of the Nazi regime was not exterminatory. Therefore, his crimes prior to this period were considered crimes against humanity, while his crimes after this period were considered crimes against the Jewish people (or genocide). Not only does Schabas conclude that the court recognized the unprecedented nature of Eichmann’s crimes by being “the first judicial body to distinguish genocide and crimes against humanity,” he also indicates that this recognition

on its part served as a precedent for trials three decades later by the International
Criminal Tribunal for the former Yugoslavia (ICTY) in prosecuting the Bosnian
 genocide, where this distinction was maintained.\textsuperscript{501}

Another major contribution of the Eichmann trial to international law has been its
insistence that crimes against humanity can be perpetrated in times of peace. This is
contrary to the conclusion of the Charter of the International Tribunal and the London
Conference (that established the legal basis for the Nuremberg trials) that crimes against
humanity could not be prosecuted if they were committed in times of peace, where there
was no link to armed conflict. By contrast, the law under which Eichmann was tried (The
Nazi and Nazi Collaborators (Punishment) Law), determined that it was only war crimes
that were defined by their connection with armed conflict. Crimes against humanity and
crimes against the Jewish people (genocide) were therefore punishable if they were
committed at any point during the Nazi regime, which began in 1933, six years before the
outbreak of war. Thus, it found Eichmann guilty of crimes against humanity perpetrated
before 1933. Although Schabas maintains that this represents another way in which the
Israeli court rose to the challenge of the unprecedented nature of Eichmann’s crimes, he
indicated that this measure on their part has yet to serve as a precedent in subsequent
trials.\textsuperscript{502}

Schabas also considers the Jerusalem Court’s judgment of Eichmann under the
Nazi and Nazi Collaborators (Punishment) Law (established in 1950), which implies that
he was being tried retroactively under a law that did not exist at the time that he
committed his crimes, as well as the court’s illegal abduction of Eichmann from

\textsuperscript{501} Schabas, 670–6.
\textsuperscript{502} Ibid., 676-680.
Argentina. As regards their prosecution of Eichmann under a retroactive law, the court was not serving as a precedent but instead basing itself on the precedent already set by the Military Tribunals at Nuremberg. The importance of this precedent, and its continuation in the Eichmann trial, is reflected in international military tribunals in Rwanda, Serbia, Cambodia, and Sierra Leone, where, Schabas indicates, the defendants have been no more successful than Eichmann in arguing that they cannot be tried under a retroactive law.503

As regards Eichmann’s kidnapping, about which there was widespread debate in the months immediately preceding the trial, the court defended its actions by appealing to precedents from the United States and Britain regarding the controversial *male captus bene detentus* (wrongly captured, properly detained) principle. In the end, the court owed much of its ability to continue to detain and try Eichmann to the fact that Argentina formally forgave Israel for this breach in its sovereignty and waived any violation of international law it entailed. Schabas argues that the success of the court in prosecuting Eichmann despite this illegal kidnapping has created a precedent that was taken up in the illegal capture of Dragan Nikolić, who, following his indictment from the ICTY, was kidnapped from Serbia and delivered to the United Nations Tribunal in 2000.504 When he tried to appeal the legality of this act, the ICTY justified their action by citing the Eichmann case as one of their precedents.505

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503 Ibid., 680-683
504 For the legal defense of this measure see the ICTY’s document, "Decision on Defense Motion Challenging the Exercise of Jurisdiction by the Tribunal" at http://www.icty.org/x/file/Legal%20Library/jud_supplement/supp37-e/nikolic.htm
505 Schabas, 683-687.
The most influential precedent set by the Eichmann trial for the development of international law, Schabas maintains, is that it has “actually moved the law forward on the question of universal jurisdiction, effectively setting aside the narrow jurisdictional frame set by the 1948 Genocide Convention.”

Because the Israeli court tried Eichmann for crimes that were not committed in their territory, they were (seemingly) violating Article 6 of the Genocide Convention, which states that,

> Persons charged with genocide or any of the other acts enumerated in article 3 shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

However, the preciseness of this article regarding the confines of universal jurisdiction remains hotly debated. In addition, it was formulated in response to what Raphael Lemkin saw as a shortcoming of the Nuremberg Trials, a lack of recognition of the fact that genocide is an “international crime over which states could exercise universal jurisdiction; that is, without regard to whether the crime had been committed on their territory or by their citizens.”

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506 Ibid., 667.
509 Schabas, 687.
The persistence of the court to act in this regard, which was partly based on a thorough argument regarding the ambiguity of Article six, therefore seems a legitimate response to Lemkin’s concern. In addition, Schabas maintains that, despite the “flimsy” legal arguments regarding the universal jurisdiction of the Israeli court, it set an almost immediate precedent regarding the prosecution of genocide in international law which has been affirmed by the UN and is reflected in the European Court of Human Rights’ recent rejection of the challenge of a Serb being prosecuted in Germany (although the Court does not explicitly cite the Eichmann trial as their precedent).\footnote{Schabas also makes clear the limitations of universal jurisdiction, “Universal jurisdiction is a subject that generates more heat than light. In practice, it is rarely exercised, be it for genocide or other international crimes. The isolated examples provided since 1961 have almost invariably involved states with a particular interest in the offender, generally because of historic ties with the location of the crime. Canada is one of the poster children for universal jurisdiction, which it has exercised in the past for Nazis and now employs for Rwandan génocidaires. But its legislation requires as a precondition for exercise of jurisdiction that the accused person be present in Canada after the alleged offence was committed. Nor has Israel shown the slightest interest in prosecuting genocide cases under universal jurisdiction other than those resulting from Hitler’s campaign to destroy the Jews of Europe.” 693.}  

Schabas’ analysis certainly seems to question Arendt’s claim that the Jerusalem court failed to rise to the challenge of the unprecedented and serve as a precedent in the development of international law. The fact that she did not recognize these developments may be due to the fact that she was not a legal expert, and also to the fact that she died (in 1975) two decades before the ICTY trials (beginning in 1994), which are among the most prominent examples Schabas cites in his article. Whether or not Arendt would find these developments satisfactory, however, is open to interpretation.  

Although Arendt was concerned that the international community rise to the challenge of the unprecedented nature of the crimes of genocide, her emphasis on the
legal aspect of this challenge, which she understood as imperative for the development of international law, is primarily concerned with the international response to systemic evil after it has occurred. In considering whether her representation of Eichmann and his evil as banal functions to help identify, confront and respond to systemic evil in these stages on the international level, we are, therefore, left with few resources. As Barnouw’s critique indicates, although Arendt investigates the influence that systems have on individuals, her focus remains primarily on the individual and their personal psychology. It therefore speaks more to our own personal capacity to identify and resist compliance with systemic evil by thinking, than it does to international intervention in the early and later stages of systemic evil.

It could also be said, however, that the approach of the international community to genocide is in large part founded on the recognition of the role of systems, and the processes, methods, and devices they employ in order to implicate people in their policies. It is therefore possible to see the influence of Arendt’s representation of Eichmann and banal evil, as well as the many scholars who have been inspired by this representation, at this level. This is particularly reflected in the Genocide Watch Program through the International Alliance to End Genocide (IAEG), which counts among its board of directors and advisors distinguished scholars such as Gregory Stanton, Yehuda Bauer, Samantha Power, William Schabas, John Roth, and James Waller.\textsuperscript{511}

This program, which defines genocide according to the parameters of the UN’s 1948 convention (although it also addresses “political mass murder, ethnic cleansing, and other genocide-like crimes”), operates according to the following mission statement:

“Genocide Watch exists to predict, prevent, stop, and punish genocide and other forms of mass murder. We seek to raise awareness and influence public policy concerning potential and actual genocide. Our purpose is to build an international movement to prevent and stop genocide.” Its wider vision is “to educate the general public and policy makers about the causes, processes, and warning signs of genocide; to create the institutions and political will to prevent and stop genocide; and to bring perpetrators of genocide to justice.” This mission statement and vision, as well as this program’s goal to bring about international intervention, reflect not only a reliance on the process model for understanding systemic evil, but also a confidence in the international community and their capacity to intervene in cases where this process is identified.

In order to identify contexts that have the potential to be genocidal, the program uses the model developed by Gregory Stanton, in which he identifies the eight stages of genocide. These factors include classification of the population into definable groups—us and them; symbolization, or the use of symbols (such as the yellow star) to distinguish members of each group; dehumanization of the targeted group through propaganda; organization of the state of military towards genocidal actions; extermination; and finally, denial of the genocide by the perpetrator group. The findings of this program are readily available and consistently updated via their website: www.genocidewatch.org. In cases that the program identifies as high-risk, it recommends intervention on the part of international and non-governmental organizations. In cases that are highly escalated, it

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513 Ibid., http://www.genocidewatch.org/genocide/8stagesofgenocide.html
recommends and supports the creation of the UN Rapid Response Force, which is
described in Articles 43 and 47 of the U.N. Charter.\textsuperscript{514}

Although I believe that Arendt would have supported this program, and also that
it is an important step to identifying the influence of systemic evil in contexts that have
the potential to become genocidal, it is not without its limitations. One important
limitation is the capability and willingness of the international community to actually
intervene in contexts that the program has identified as at high risk. Another is the
methods that these interventions include, particular military interventions, and their
inability to address the social and economic causes that gave rise to the oppressive
context.

\textsuperscript{514} Article 43: All Members of the United Nations, in order to contribute to the
maintenance of international peace and security, undertake to make available to the
Security Council, on its call and in accordance with a special agreement or agreements,
armed forces, assistance, and facilities, including rights of passage, necessary for the
purpose of maintaining international peace and security. Such agreement or agreements
shall govern the numbers and types of forces, their degree of readiness and general
location, and the nature of the facilities and assistance to be provided. The agreement or
agreements shall be negotiated as soon as possible on the initiative of the Security
Council. They shall be concluded between the Security Council and Members or between
the Security Council and groups of Members and shall be subject to ratification by the
signatory states in accordance with their respective constitutional processes.

Article 47: There shall be established a Military Staff Committee to advise and assist the
Security Council on all questions relating to the Security Council's military requirements
for the maintenance of international peace and security, the employment and command of
forces placed at its disposal, the regulation of armaments, and possible disarmament. The
Military Staff Committee shall consist of the Chiefs of Staff of the permanent members
of the Security Council or their representatives. Any Member of the United Nations not
permanently represented on the Committee shall be invited by the Committee to be
associated with it when the efficient discharge of the Committee's responsibilities
requires the participation of that Member in its work. The Military Staff Committee shall
be responsible under the Security Council for the strategic direction of any armed forces
placed at the disposal of the Security Council. Questions relating to the command of such
forces shall be worked out subsequently. The Military Staff Committee, with the
authorization of the Security Council and after consultation with appropriate regional
agencies, may establish regional sub-committees. United Nations, \textit{Charter of the United
As regards the first limitation, and despite the many advancements made in the field of Holocaust and Genocide Studies, the reality is that world history since the Second World War has included more, rather than fewer genocides, including the genocide in the former Yugoslavia, Rwanda, Darfur, and continued genocidal acts against indigenous populations in Canada, the United States, and Australia. These contexts have demonstrated that, even if we are able to identify the earliest stages of genocide, international intervention in such contexts is, in most cases, either belated or completely absent.515

In his Barbaric Civilizations: A Critical Sociology of Genocide, Christopher Powell argues that this failure on the part of the international community is largely the result of the power dynamics that are implicated in the decision to intervene in such contexts. For this reason, in those cases where intervention is approved, it usually occurs in contexts that promote the interests of the dominant world powers. Contexts that do not directly serve these interests are therefore accorded less priority and resources.516

Powell also questions the effectiveness of intervention in such contexts even in cases where it does occur, arguing, “focusing too much on intervention impedes our efforts to understand the social roots of genocide.”517 Because such intervention is often military, the primary goal is to prevent any further killing. Therefore, although armed intervention can have an immediately positive effect, it fails to address the social, economic, cultural and political factors that contributed to systemic evil and genocide in

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515 For a devastating example of this see Romeo Dallaire’s (former Lt. Gen. and force commander for the UN Assistance Mission for Rwanda (UNAMIR), Shake Hands with the Devil: The Failure of Humanity in Rwanda (Toronto: Random House Publishing, 2004).
517 Ibid.
the first place, and thus leaves the population in dire circumstances that have the potential to become, once again, oppressive or even genocidal.

Powell’s concerns, taken together with the Genocide Watch program, seem to suggest that some kind of a balance is required between identifying the various factors that contribute to genocide, intervening in order to prevent it, and also working towards addressing these factors on the international level. While such a vision may seem idealistic, particularly if we consider the international political considerations that Powell discusses, it can function as an ideal that has the potential to guide our attempts to identify, confront, and prevent compliance with systemic evil on the international level. Such an approach would certainly be supported by Arendt, who argued that “It is essentially for this reason: that the unprecedented, once it has appeared, may become a precedent for the future, that all trials touching on “crimes against humanity” must be judged according to a standard that is still an “ideal.”

Although Arendt was here commenting on the development of international law in light of the unprecedented crime of genocide, her comments apply equally to a thoughtful and critical evaluation of international intervention in contexts of systemic evil.

518 El, 273.
Chapter Four
Judging the Jewish Councils

The fourth and final aspect of Arendt’s overall representation of the Holocaust is her judgment of the Jewish Councils. This is also certainly, even more so than her representation of Eichmann, the most controversial and widely disputed aspect of her overall representation. In fact, it is likely Arendt’s representation of the Jewish Councils, more so than her representation of Eichmann and the banality of evil that accounts for much, or most, of the controversy that continues to surround *EJ*.

In this chapter, I will begin by providing a brief overview of the Jewish Councils by examining their purpose, establishment and composition, motivations, tasks, and strategies. Next, I will present Arendt’s representation of the Jewish Councils, particularly as it is found in *EJ*. Because this representation takes up a very small portion of the book, and Arendt’s comments about the Councils are fairly direct and self-explanatory, I will present them, for the most part, as extended quotations. In examining the responses and critiques of this representation, I will consider whether Arendt provided any responses to these critiques that reveal any subtleties of her representation of the Councils, and what limitations of her representation her critics reveal.

By this point in my chapter, it will likely be clear to the reader, as it was to her many critics, that Arendt’s representation of the Councils is also a judgment and condemnation of them. However, because judgment meant something very particular

519 This is contrary to Barnouw’s position in *Visible Spaces*, where she argues, “She [Arendt] was not interested in accusing or judging anyone but Eichmann...The judgment she sought concerned the relation to the perverted system of total domination, and so she was intent on showing that any cooperation with the system was destructive,”

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to Arendt, in my following sections I will consider whether or not her judgment of the Councils “stands up” to the theory of judgment that she herself began to formulate towards the end of her life. I will do this by presenting this theory, examining how it was shaped by her confrontation with systemic evil, and assessing her judgment of the Councils in light of this theory.

In conclusion, I will consider whether this aspect of Arendt’s representation fulfills the two evaluative criteria of reconciliation and prevention: does it reconcile us to the Holocaust by identifying the factors that made it possible and actual, as well as the devices and methods that functioned to implicate people at various levels of society? Does it provide resources for preventing future evils, by providing resources to allow us to identify, confront, and prevent compliance with systemic evil on the personal and international level?

The Jewish Councils

The following sections will provide an overview of the Jewish Councils in terms of their purpose, establishment and composition; motivations; tasks; and strategies. Such a review will, by necessity, be brief and non-exhaustive. It will also need to rely on some (or a great) degree of generalization, since it is not possible to review these factors for each Council, which varied greatly not only according to local factors but also according to responses and initiatives, on the part of both the Nazi forces and Jews. Such an

234. Barnouw thus sees Arendt representation of the Councils in light of their role within the system of totalitarianism, rather than as something that can be judged on its own terms. This is an argument I will take up explicitly in my final section on prevention. Barnouw’s argument that Arendt does not judge the Councils stands in stark contrast to many others, such as Zygmunt Bauman, who calls Arendt’s representation of the Councils a “harsh verdict” against them. Modernity and the Holocaust, 117.
approach is, therefore, necessarily limited, and goes against Isaiah Trunk’s caution against generalizing when considering this vast and complicated topic.\textsuperscript{520}

Despite these limitations, such an introduction is necessary before considering Arendt’s representation and judgment of the Councils. In addition, without presenting a case-by-case analysis of each Council in each ghetto, it may in fact be impossible to avoid engaging in at least some degree of generalization when analyzing the Councils. This is suggested by Hilberg’s review of Trunk’s extensive study of the Councils in \textit{Judenrat: The Jewish Councils in Eastern Europe Under Nazi Occupation}. While Hilberg commends Trunk in his aim to avoid generalizations, he also claims that Trunk,

\textit{[D]oes not present the Warsaw ghetto in one chapter, Lodz in another, and additional ghettos down the line. The fragmentary nature of the source material would not in any case have allowed for an approach of that kind. Instead, he addresses himself to the essence of the ghettos, that is, the mode of their operations in regard to such all-pervasive problems as overcrowding, hunger, or the demands of the Germans; and he does so implicitly by using almost any item of information about a particular ghetto as illustrative of the situation in all of them. In this manner, he builds a mosaic which is generalization par excellence.}\textsuperscript{521}

Hilberg’s review alludes to the fact that it may be impossible to present a comprehensive account of the Councils without either presenting various local analyses or engaging in generalizations. In order to attempt to at least mediate generalizations in this brief account, I will rely not only on Trunk’s study, but also other historical accounts (i.e., from Hilberg and Browning), as well as diaries and sources compiled by former Council members, such as Adam Czerniakow (head of the Warsaw Ghetto Jewish

\textsuperscript{520} Trunk is the author of what is perhaps the most comprehensive account of the Jewish Councils, \textit{Judenrat: The Jewish Councils in Eastern Europe Under Nazi Occupation} (New York: The Macmillan Company, 1972), vxiii.

Council), and Avraham Tory (who served as the deputy secretary of the Kovno Ghetto Jewish Council).

**Purpose, Establishment, and Composition of the Jewish Councils**

The Jewish Councils were established by the invading German forces nearly immediately following the invasion of Poland, in September of 1939, in anticipation for the establishment of the ghettos.\(^{522}\) Their primary purpose was to relay and execute Nazi orders in their communities and to administer daily life in the ghettos (according to Nazi orders). According to Nazi forces, the primary purpose of the Councils was therefore to carry out “precisely and efficiently, all the regulations and directives of the occupation authorities….to execute Nazi orders regarding the Jewish population.”\(^{523}\)

In addition to this primary purpose, the Councils also served a number of secondary purposes for the Nazi forces. By placing them in charge of the administration of the ghettos, the Nazis saved themselves a lot of work and freed up their manpower for other purposes.\(^{524}\) According to Jacob Robinson, “We have it on the authority of one of the top Nazi leaders, Alfred Rosenberg, that the reason for using local administrations

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\(^{523}\) Trunk, 44.

was that the Germans suffered from a shortage of administrative personnel and had therefore to exercise great economy in the use of manpower."

The Councils also served to reinforce the policy of “divide and conquer” that the invading forces relied upon in Poland. This policy served to turn groups that could have stood together against the occupying forces against one another. By making not only the Councils, but also squads of Jewish Police responsible for relaying and executing Nazi orders, the invading forces ensured that the desperate populations of the ghettos directed their anger and frustration not only at the Nazi forces, but also at the leaders of their own people. This deliberate strategy on their part thus served to destroy Jewish solidarity and frustrate any attempts at organized resistance.

Although the purposes the Councils served did not vary greatly from place to place, the methods by which the Councils were established were extremely varied and also quite arbitrary. This is due not only to the variety of local events and initiatives (on the part of the occupying forces and Jews) that determined and characterized each location and each ghetto, but also to the lack of official policy to regulate and direct the formation of the Councils.

Two official decrees were issued regarding the establishment of the Councils, one in Berlin, dated Sept. 21, 1939 (by Heydrich), and another in the Generalgouvernement, dated November 28, 1939 (by Hans Frank). However, in many cases Einsatzgruppen

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525 Robinson, 148.
526 Bergen, War and Genocide, 111-12.
527 Trunk indicates, “No special orders are known concerning the establishment of Jewish Councils in the territories of the Reichskommissariat Ostland or the Ukraine. However, in the general regulations relating to the Jews of these territories, we find mentioned such terms as “Jewish self-government” (Jüdische Selbstverwaltung) and “Jewish police” (Ordnungsdienst)” 6.
leaders were already choosing Jewish leaders to perform special tasks for them or electing them to serve as “representatives” of their communities during the first weeks after the war began.\(^5\) These official decrees therefore served largely to sanction measures that had already been taken in establishing the Councils, rather than to determine and regulate them.\(^6\) They were also rather ambiguous about who was authorized to give orders to the Councils, how the Councils were to be governed,\(^7\) did not apply to all areas in which ghettos were established, and were not always heeded.\(^8\)

In addition to presenting the tasks of the Councils (to be discussed in the next sections), these decrees dealt primarily with the composition of the Councils. In each case, it was required that a Council consisting of a Chairman and 24 other members (for communities over 10,000) be formed.\(^9\) The ways in which these members were “selected” varied greatly depending on local factors. In some places, particularly many areas in Poland (such as Warsaw and Lublin), there were already pre-existing Jewish community groups that were established and nominated by the pre-war government.\(^10\) In such cases, the membership of these groups, including their Chairman, remained essentially the same.\(^11\)

In cases where such groups did not exist, or where they were disorganized (which was not uncommon), the entrance of the occupying forces would often cause

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\(^{5\text{28}}\) Trunk, 20-21.  
\(^{5\text{29}}\) Ibid., 2.  
\(^{5\text{30}}\) Ibid., 4-5.  
\(^{5\text{32}}\) Trunk, 3-4.  
\(^{5\text{33}}\) Ibid., 14-15.  
\(^{5\text{34}}\) Hilberg, Destruction, V. 1, 217.
Jewish leaders (Rabbis, teachers, doctors, etc) who had traditionally been involved in the welfare of their community to form relief organizations in their attempt to alleviate the suffering of their communities. Because those involved in these organizations would already be in contact with the German forces, in many cases they became the “nuclei” for the Councils.\textsuperscript{535}

If these groups did not exist or did not form in response to the entrance of German forces, a Chairman was selected by the \textit{Einsatzgruppen} and charged with electing the other members to serve alongside them. In general, election or nomination to the Councils resulted from a combination of Jewish and Nazi initiatives. Some leaders and elders volunteered to serve on the Councils, others were nominated by community members, others were elected by the occupying forces. In every case, however, the \textit{Einsatzgruppen} officer in charge and the Council Chairmen approved the selection of those who would serve on the Council. This is why Trunk concludes, “Jews were a codetermining influence with the German authorities in the establishment of the Councils at a higher organizational level.”\textsuperscript{536}

Because many of those who served on the Councils were involved in the political, religious, social and economic life of their communities before the war, many of them were highly educated. A high percentage of Council members were therefore professionals, including doctors, lawyers, and pharmacists. In nearly every case, these people occupied “various positions of trust” before the war. Having educated people serve on the Council also benefited both the Jews and the occupying forces, as it ensured

\textsuperscript{535} Trunk, 15. \\
\textsuperscript{536} Ibid., 16.
that the Council members were able to speak German (which most educated people could), and could communicate with the Nazi forces effectively.\textsuperscript{537}

In nearly every case, the election, nomination, and selection of Council members was accompanied by communal opposition. While those (as I will establish in the following sections) who accepted membership or election in the Councils understood themselves as representatives of their community in a time of need, others saw membership as a betrayal of their communities. For this reason, many who were summoned by the \textit{Einsatzgruppen} or elected by their fellow Jews to serve on the Councils simply refused. Others attempted to avoid membership by officially registering as laborers (rather than intellectuals or community leaders). We see this opposition reflected in a statement issued by groups in Warsaw, “No Council, no police, nothing at all; do whatever you wish, we will not cooperate. You want to catch [for forced labor] – all right, catch. You want to kill, so kill. Passive resistance. You can rule over us- maybe fate so ordained- but never will we become a willing, cooperating subject.”\textsuperscript{538}

In addition to communal opposition, the establishment of the Councils was also accompanied by intense terror in the form of persecution, humiliation, intimidation, and even massacres. In many cases, the occupying forces imposed the death penalty, deportation, or arrest for those who resisted election or we otherwise uncooperative (and often their families).\textsuperscript{539} We see this terror reflected in the conditions surrounding the election of the members of the Warsaw Ghetto’s Council. In this case, Adam

\textsuperscript{537} Ibid., 30-31.  
\textsuperscript{538} Ibid., 16-17.  
\textsuperscript{539} Ibid., 22-23.
Czerniakow, the Council Chairman, was summoned by the Gestapo, “abused” for two
days, and then,

Ordered to deliver the names of rich Jews, as well as other information about the
activities of Jewish organizations and individuals active in community affairs. He
had to listen to anti-Semitic speeches and Nazi propaganda oratory before he was
informed that he had been nominated chairman (Obmann) of the Jewish
community. He also received an order to present a list of 24 Jews to be nominated
members of the Jewish Council and as many names of people to serve as
deputees…The first meeting of the Council nominated took place in the middle of
October in the presence of the Gestapo officer, [Gerhardt] Mende. Members were
ordered to rise and remain standing while he addressed them as if they were
criminals. He bluntly told them that the fate of the Jews and of the Council was in
the hands of the Gestapo. The Council was forbidden to approach any other
official. No arguing [about the orders issued] was allowed. He told them, “We act
in accordance with the Führerprinzip: what the Gestapo ordered has to be
accomplished quickly and punctually, not in the Jewish way.” He would see to it
“that the Jews did everything as ordered, or else…”After his speech the Council
members were given identification cards issued by the Gestapo: “________ is a
member of the Council of Elders of the Warsaw Jewish Religious Community and
had to perform special tasks assigned by me. Signed: ‘Sicherheitspolizei,
Einsatzgruppe 4’ or ‘Gruppenführer’.”

Motivations of the Jewish Councils

If it is difficult to generalize about the purpose, formation, and composition of the
Jewish Councils, it is even more difficult to generalize about the personal motivations of
their members, which varied not only according to local conditions but also according to
individual psychologies. Many of those who chose to serve in this capacity were
influenced by the intense terror that accompanied the invasion of Nazi forces and the
establishment of the ghettos. Ultimately, however, the vast majority of those who became
Council members were primarily motivated by a commitment to their communities and a
desire to alleviate their suffering in whatever (increasingly) limited ways they could.

540 The description of the formation of the Jewish Council in Warsaw, as
described by Council member Shmuel Zigielbojm. Cited in Trunk, 21-2.
Contrary to the occupying forces, which saw the Councils primarily as a device designed to execute orders, the Councils members therefore understood themselves as representatives of their communities in a time of dire need.

We see this reflected in the circumstances surrounding the formation of the ghettos in Vilna and Bialystok. When Rabbi Simeon Rosowski was selected as Chairman by the Einsatzgruppen and charged with electing members to serve on the Council, he organized a meeting for his town’s (Ejszyszki, near Vilna) Jewish population. At this meeting, he was met with complete opposition and no willing volunteers. In the end, however, a complete Council was chosen, and those who agreed to serve in this capacity did so in order to offer themselves up in “Kiddush Hashem (the sanctification of the name of the Lord) for their community members.” Dov Subotik, who served as a Council member in the Bialystok ghetto, relates a similar story, “None of us was willing to accept membership on the Council. I myself abstained for a few days, until I was persuaded to offer myself for the good of the people at a time when the life of the community was at stake.”

It therefore becomes clear that Council members understood their service in this capacity as a refusal to abandon their communities to Nazi forces, who would invariably take over control of the ghettos if they refused to do so. They “believed that their service was an obligation, and they were convinced with absolute certainty that they carried the burden of caring for the Jewish population.” We see this reflected in Czeriakow’s condemnation of those who fled rather than accept membership in the Warsaw Council.

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541 Trunk, 19.
A certain Kirszblum, a louse, is leaving for Palestine and claims that he does not have the 600 zlotys payable to the community before he leaves, after refusing to pay, he declares “I will not forget this,” to which I retort: “You louse, I will not forget, you louse, how you pretended to act as a leader and are now running away with others like you, leaving the masses in this horrid situation.”

During the meeting [of the Council] Dr. Schipper again behaved foolishly. Since he contrasted those present with the “true mentors of the people” I asked him where these “mentors” were. Should we not look for them among those who have fled or among those who tried to leave but did not succeed. (He himself had a passport in his pocket). He replied that those people would be punished. His own actions were entirely honorable.

It therefore seems that Robinson is correct in his conclusion that, “There is no evidence that the motivation in accepting and maintaining membership in the Judenräte was not generally honorable.”

Once the Councils were established and became operational in the ghettos the honorable motivations of the Council members were both reinforced and manipulated by the larger system to which they belonged. We see this reflected particularly in three factors that characterized daily life in the ghettos: terror, the organizational structure of the ghettos, and the unprecedented nature of the circumstances they faced.

The terror that accompanied the formation of the Councils did not end once the Councils were established. Instead, it intensified and became an integral aspect of daily life in the ghettos, not only for the Council members, but also for their communities as a whole. This terror took many forms, including systematic starvation, random acts of

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544 Ibid., October 5, 1941, 285.
545 Robinson, 169.
humiliation and torture by Nazi guards, and the constant threat of deportation and death. The Councils therefore worked and lived under the immediate pressure of terror.

The constant state of terror under which the Councils lived and worked made their efforts to alleviate the suffering of their communities increasingly difficult and often futile. Nevertheless, this served not to weaken but instead to strengthen their sense of commitment towards their communities, and inspired them to continue, rather than to abandon their service as Council members. We see this reflected particularly in Czerniakow’s entries from Nov. 4-7, 1940. The first of these entries describes his beating, arrest, and incarceration, along with other members of the Council, by Nazi forces.

At 3:30 I heard battering at the front door and the sound of windows being broken. A soldier with an officer were breaking in. They entered the building and…proceeded to beat Popower…then they went to the battalion office and beat up Singer, Zylberman (?) [indicates that the translators were unable to make out this name]. I called the Gestapo and was instructed to get one of the armed men on the telephone. I called on a soldier who happened to be nearby but he refused in an irritated tone, ordering me to follow him. When I appeared at the Battalion office, the officer in charge set upon me, hitting me on the head until I fell. At this point the soldiers started kicking me with their boots. When I tried to stand up they beat me again. In the end I was dragged to a truck but was soon ordered to move into another one. I was [then] transported with Singer, Zylberstajn, and Popower in turn to Szuch Avenue, and again to Pawiak, where we were all incarcerated. I was put in an underground cell with 5 fellow prisoners. The cell measures three paces in width and 6 paces in length. One of the prisoners occupies a bed, the rest sleep on the floor on very thin straw mattresses. To make things worse, one of the prisoners arrested for beating some Volkdeutscher [Ethnic German] …, in a drunken state, has diarrhea and keeps relieving himself all through the night next to my mattress.546

The following day, Czerniakow is interrogated and accused of making “improper remarks about the SS,” before being released, along with the others, at 6pm. That evening, after being “patched up” by three doctors, he expresses his intentions to return

directly to his community “Tomorrow, I will go to the community [as usual].” The following morning, he is already immersing himself in his community, eager to hear what has happened in his absence and busying himself making appeals on their behalf, “In the morning at the community…It turned out that somebody had beaten up Mrs. Sachsenhaus and had threatened her with revenge by [residents of] Krochmalna Street. I issued an appeal to the Battalion and used my influence with respect to local citizens to calm tempers…”

If terror functioned to reinforce the honorable motivations of the Council members, the organizational structure of the ghettos functioned to manipulate it. These institutions were designed in such a way as to create the illusion that the Councils had a degree of autonomy and control over their fate and the fate of their communities that in reality they did not have. By creating this “image of ghetto autonomy”, the Nazis ensured that the Councils maintained the belief that they could in fact (at least in a limited way), alleviate the suffering of their communities. They thus approached their tasks rationally; weighing their options and making decisions that they felt would best achieve this goal. We see this particularly in the strategies the Councils adopted (to be discussed in the following section).

By giving the Councils the illusion of control over their circumstances, the Nazis manipulated them into “cooperating” with them in a way that seemed to be influenced by their own decisions and choices. Bauman explains,

To make their victims’ behavior predictable and thus manipulable and controllable, the Nazis had to induce them to act in a ‘rational mode’; to achieve

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547 Ibid, Nov. 5, 1940, 213.
548 Ibid., Nov. 6, 1940, p. 213-14.
549 Trunk, 43.
that effect, they had to make their victims believe that there was indeed something to save, and that there were clear rules as to how one should go about saving it. To believe that, the victims had to be convinced that the treatment of the group as a whole would not be uniform, that the lot of individual members would be diversified, and in each case dependent on individual merit. The victims had to think, in other words, that their conduct did matter; and their plight could be at least partly influenced by what they were about to do.\textsuperscript{550}

In reality, however, whether or not the Council members succeeded in alleviating the suffering of their communities, the nature of the ghetto system and the Councils themselves, which were “conceived by the Nazis not as an instrument for organizing life in the ghettos or for strengthening the structure of the ghetto, but the opposite; as an instrument which, in their hands, would help them to realize their plans concerning the Jewish population in the occupied territories and, in particular, their extermination plan,”\textsuperscript{551} ensured that their ability to accomplish this goal was not only extremely limited but also temporary.

Finally, although our own understanding of the Councils and their motivations is mediated by our retrospective knowledge of the unprecedented situation they faced, and particularly the genocidal intent of the “final solution,” this knowledge was not (at least initially) available to the Council members. In fact, it is unfair to assess their motivations in light of this knowledge since it was not even available to or conceived by the Nazi forces until mid-1941. Although it is possible that some Council members would have heard rumors about \textit{Einsatzgruppen} shootings or mass starvation in concentration camps, there is no way that they could have anticipated the killing centers. As Bergen points out,

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{550} Bauman, Modernity and the Holocaust, 130.
\item \textsuperscript{551} Trunk, 43.
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\end{footnotesize}
“To decent people, such a thing would be unimaginable.” The Council members therefore reasoned that, like other cases of persecution in Jewish history, Nazi occupation was temporary. Their honorable motivations were therefore based on the assumption that the Nazis would be defeated sooner or later, and the hope that they could save at least some people until the day that this occurred.

Once the “final solution” was underway, the ghettos were being liquidated, and more and more people were being sent out of the ghettos on transports to killing centers, many Council members would have learned of, or guessed, the final destinations of these transports. Even at this point, however, the reaction of Council members to this information was varied, and their responses were diverse. In general, even in this most desperate of situations, the Council members continued in their (increasingly) desperate attempts to alleviate the suffering of their communities in whatever (increasingly) limited ways they could.

A poignant example of this comes to us from Etty Hillesum, who served as an administrator for the Jewish Council in Amsterdam. It is in fact Hillesum’s realization of the genocidal intent of Nazi policy that prompted her to immerse herself further into the life of her community and to work even more desperately to alleviate their suffering. When transports to Westerbork (a transit camp on the way to Auschwitz) began, Hillesum volunteered to be sent on the first transport, and spent the remainder of her life, between July of 1942 and September of 1943 (when she was killed at Auschwitz), at the camp with her community. On the rare occasions when she did return to Amsterdam (using a special permit granted to her through the Council), she expressed her eagerness

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to return to the camp in order to share in the sufferings of her community and alleviate them in whatever way possible.

Of course, it is our complete destruction they want! But let us bear it with grace. There is no hidden poet in me, just a little piece of God that might grow into poetry. A camp needs a poet, one who experiences life there, even there, as a bard and is able to sing about it. At night, I lay in the camp on my plank bed, surrounded by women and girls gently snoring, dreaming aloud, quietly sobbing and tossing and turning, women and girls who often told me during the day, ‘We don't want to think, we don't want to feel, otherwise, we are sure to go out of our minds,’ I was sometimes filled with an infinite tenderness, and lay awake for hours letting all the many, too many, impressions of a much too long day wash over me, and I prayed, ‘Let me be the thinking heart of these barracks.’ And that is what I want to be again. The thinking heart of a whole concentration camp. I lie here so patiently and now so calmly again, and I feel my strength returning to me; I have stopped making plans and worrying about risks. Happen what may, it is bound to be for the good.

Later on this same day, Hillesum writes,

I really must stop being so impatient. Why am I in such a hurry to share the deprivations of those behind barbed wire? And what are six weeks in a lifetime? There is an iron band round my skull and the debris of a whole city weighs down on my head. I really do not want to be a sick, dry leaf dropping from the stem of the community.553

Hillesum’s entries demonstrate that even knowledge of the “final solution” often functioned to strengthen the resolve of the Council members to continue to work towards the alleviation of the suffering of their communities, and in fact to share in them, rather than to abandon their service.

Another reflection of this continued commitment is the increasingly desperate attempts of the Council members to seek exemptions from deportations for their community members after they learned of the destinations of the final transports. In some cases, the Council members drafted appeals for people, or for groups of people, in their

efforts to secure their protection from deportation. In other cases, they created jobs for people, which made them appear instrumental to the work force of the ghetto, and therefore protected them from deportation. We see this particularly in the actions of Czeriakow, who, after learning of the “final solution,” set to work seeking exemptions and creating jobs for as many people as possible, since, as he tells us, “a sewing machine can save a life.”

Although some have questioned the decision of the Council members not to share the information of the final destinations of the transports with their communities, even this decision was taken in consideration of the welfare of their communities. It is necessarily the case that sharing such knowledge would not have saved their communities, but would in fact have caused chaos and increased their suffering in their last moments. We see this reflected in Avraham Tory’s (who served on the Jewish Council in the Kovno Ghetto) deliberations as to whether or not to share this knowledge with his community, and his ultimate decision not to, in order not to destroy their hope and will to survive. In fact, after hearing news that there was an upcoming “action” against the old and sick, Tory and the Chairman decided not to share this information not only with their community at large, but also with the other members of the Council. This

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555 This was in fact raised at Eichmann’s trial by a witness who “pointed out the unfortunate consequences of this kind of “humanity” [here referring to not sharing the details of the destinations of the transports] – people volunteered for deportation from Theresienstadt to Auschwitz and denounced those who tried to tell them the truth as “not sane.” EJ, 119.
decision led to a reassurance that “spread quickly in the Ghetto; enabling those in the Ghetto to relax a little. Sparks of hope replaced the sense of despair.”

Most of the Council members therefore continued in their desperate attempts to alleviate the suffering of their communities until the very end, when they were deported and shared in their fate. Czerniakow provides an exception here, as his realization that he had become “powerless” to help his community led him to take his own life. This decision, however, came only after the final deportations had begun, (and were proceeding at a rate of 4,000 to 8,000 per day, seven days a week), and after the rejection of his appeal for the exemption of the children of the ghetto’s orphanage from these deportations. Because he could not in good conscience continue to follow German orders (which included drafting lists of those to be included on the transports) in a situation where he could not mediate them on behalf of his community, he swallowed a Cyanide pill he had been keeping in his desk from his first day as Chairman. In a letter left for the Jewish Council he explains, “I am powerless, my heart trembles in sorrow and compassion. I can no longer bear all this. My act will show everyone the right thing to do.”

Although I have argued that the primary motivations of the Council members were honorable, because serving in the Councils also offered (limited) privileges to the Council members and their families, we must also consider self-preservation, or perhaps even greed, as a motivational factor for Council members. It is true that, at least initially,

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serving as on the Council offered the individual and their family some reprieve from the
terrible conditions of the ghettos, as well as some material rewards. In later years, it
would have entailed temporary protection from deportation. However, as Elie Wiesel
indicates, these reprieves and this protection were always limited, and Council members
ultimately shared in the fate of their communities.

The \textit{Judenr"a}te headed not states but prisons. And let us not forget that the
“elders,” too, were condemned to death because they were Jews. They enjoyed
special privileges and they were able to eat their fill, but did they hold the power
of life over death over their fellow Jews? Here we must say no, not really. The
killers and their accomplices kept this right for themselves. True, the various
Jewish officials could bestow favors, appoint assistants, and issue work permits,
ration cards, or housing permits to relatives or friends, who were thereby granted
a moment of respite until the next “action.” But no more than that. In the end all
gettos were liquidated, along with their chiefs.\footnote{Elie Wiesel, \textit{All Rivers Run to the Sea: Memoirs} (New York: Schocken Books, 1995), 66.}

Nevertheless, the fantasy of having a position of power in a situation of
powerlessness (which was derived from the image of autonomy and control granted to
the Councils by the Nazis) caused some Council Chairmen and members to rule their
ghettos in an autocratic way. The most notorious example of this is surely Chaim
Rumkowski, Chairman of the \textit{Judenr"a}te in the Lodz ghetto. Rumkowski had currency
and stamps printed with his face on it, lived in (relative) luxury in the ghetto, and rarely
consulted other Council members in arriving at his decisions.

Despite the privileges and reprieves his service in the Council brought, at least
initially, even Rumkowski worked to save members of his community, (primarily
through the strategy of “rescue through work”), granted full authority to workers from the
Council to preserve the memory of the ghetto,\textsuperscript{559} and, in the end, shared in their fate and was murdered at Auschwitz.\textsuperscript{560} It is therefore possible to see even the actions of this most notorious of Council Chairmen as motivated by a commitment to his community and a desire to alleviate their sufferings. Such an interpretation is supported by Lucjan Dobroszycki, a Polish historian and survivor of the Lodz Ghetto and Auschwitz, and editor of \textit{The Chronicle of the Łódź Ghetto 1941-1944},

Rumkowski took his appointment as the Eldest of the Jews very seriously…It is also unlikely that he accepted the post in hopes of gaining material and/or personal advantage. To deal with the affairs of his community seemed to be his calling, and with the outbreak of the war, his activities in that field and his sense of importance grew considerably. He was well aware of what the Germans were capable of, but he believed that, with proper behavior, things could somehow be worked out. He was not alone on that conviction, especially in the beginning. Rumkowski, however, maintained that conviction until the very end. He deceived himself the most and was the least able to understand the truth even though he should have known better than anyone that the Nazis would disregard the inexhaustible benefits that could be derived from the work of the hands and minds of the Jews of Łódź, of whom he was in charge. At the same time, he felt that even if he failed to change their policy toward the Jews in any way, he could at least somewhat diminish its severity and render it less violent and brutal. That tactic became an obsession for him and he saw in it a need to act at any cost, or that was how he explained the situation to himself and others.\textsuperscript{561}

\textsuperscript{559} Indeed, much of material contained in \textit{The Chronicle of the Łódź Ghetto 1941-1944}, ed. Lucjan Dobroszycki, trans. Richard Lourie, Joachim Neugroschel, et al. (New Have: Yale University Press, 1984), including daily entries (which consisted of descriptions of each day’s events, births, deaths, etc) by Council members, official correspondences between the Council and the German forces, statistics, photographs, speeches, etc, was gathered by workers in the archives with the purpose of recording the history of the ghetto. Rumkowski granted these workers “full authority” for this task, xv, xvi, xi. However, in doing so, Rumkowski also assured that all materials collected and written were approved and censored by him. For this reason, the chronicle gives us only a positive representation of him (and even capitalizes pronouns that refer to him), and does not include any opposition, either to his actions or the actions of the upper stratum of the Jewish Council. xxvi.

\textsuperscript{560} Bergen, \textit{War and Genocide}, 119.

Tasks of the Jewish Councils

As mentioned previously, the primary purpose of the Jewish Councils was to relay and execute Nazi orders and administer daily life in the ghettos (in accordance with these orders). Carrying out German orders was therefore the primary and (at least according to the Germans) official task of the Jewish Councils, and constitutes the first of the three categories of their tasks, as identified by Trunk,

I. Tasks imposed by the authorities, such as conduct of the census of the Jewish population, the supply of forced labor, registration of candidates for the work camps, for deportation, etc. 562

This first category of tasks varied greatly across different ghettos and communities, and also changed as the war progressed. In many cases, the Councils were initially charged with compiling detailed information of the population of the ghetto: their ages, occupations, property, etc. This information was used to determine food rations, impose “taxes” on the population, draft lists of those who were able to work and could be included in forced labor, confiscate their property (which was in some cases done by the Council directly), etc. Once the deportations to the extermination centers began, in some cases the Councils were ordered to draft lists of those to be included on these transports. 563

Although relating and executing Nazi orders was the primary purpose of the Councils, as reflected in the official decrees previously cited, because the Councils were motivated by a commitment to their communities and a desire to alleviate their suffering, they took on a variety of additional tasks in their desperate attempts to secure the well-

562 Trunk, 44.
563 Hilberg, Perpetrators, Victims, Bystanders, 105-4
being and survival of as many people as possible. Trunk places these tasks in two additional categories,

II. Routine tasks in social welfare, medical care, and in the economic and cultural fields—tasks which were, in the main, a continuation of prewar communal activities.

III. New tasks made essential by the complete elimination of the Jewish population in the ghetto from governmental and municipal services, such as food supplies, the management of the ghetto dwellings, industry, health, police and judicial services, etc.564

The second category of tasks was in large part undertaken on the initiative of the Councils in an attempt to respond to the devastating conditions of their communities in the ghettos. As the war progressed, it became increasingly difficult, or impossible, for the Councils to maintain sanitary and medical standards in the ghettos, and yet they remained committed to the social welfare of their communities. Czerniaków’s diary provides many examples not only of his own commitment to the poorest of the ghetto, especially the children,565 but also of his instrumental support of education and cultural life in the ghetto. Under his supervision, dozens of elementary schools, high schools, and vocational schools operated clandestinely,566 art was produced and rewarded,567 and an orchestra was organized (he also organized their performances).568

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564 Trunk, 44.
565 Hilberg tells us that children were “the acid test of his whole institutional structure. He wanted them in the ghetto and spared no effort to take care of as many as he could.” “Introduction,” The Warsaw Diary of Adam Czerniaków. In an entry on May 5, 1942, we read about Children’s day, an occasion organized by Czerniakow in which the pupils of the ghettos schools put on a show, 59.
566 Josef Kermisz, “Introduction,” in The Warsaw Diary of Adam Czeriakow, 7. We read of this particularly in entries on August 19, 1940, which describes the appointment of a committee to run vocational training courses, 188; September 25, 1940, which describes the organizational committees to operate the vocational and elementary schools, p. 201; August 15, 1941, which describes his visit to a vocational school after
The third category of tasks became increasingly difficult as the ghetto was not only cut off from any resources from outside its walls, but also became increasingly overcrowded as Jews were evacuated from their homes, robbed of their possessions, and sent to the ghettos with nothing. The Councils were then faced with the nearly impossible task of finding housing for them in a situation where already there was not enough room, and of attempting to maintain health standards in a context where sanitation was severely lacking and disease was rampant. It was at this point that the Councils expanded in order to include various departments that attempted to meet the growing demands for housing medical care, food, etc.\(^{569}\) As the war progressed, and the deportations to the concentration camps and killing centers were underway, the population in the ghettos decreased, but so did the resources available to the Councils for securing their well-being and survival.

Although these two final categories of tasks fell outside of the official task of the Councils, to relay and execute German orders, they were also, for the most part, undertaken with the consent and even encouragement of the German authorities. This is because, according to Trunk, in contributing to the social and cultural life of the ghetto, visiting a refugee center as a “breath of fresh air after a nightmare,” 286; and Dec 7, 1941, which describes the opening of pharmacy courses, 305-6.

\(^{567}\) This is reflected in entries on August 30 and Sept. 1, 1941, which describe the opening of a graphic arts exhibit in the ghetto, exhibitions of pupil’s work from a vocational school in the ghetto, and the distribution of grants to artists, 273-274.

\(^{568}\) We read about this orchestra and its performances on April 11, 1942, describing the suspension of the performances of the Orchestra by the German Kommissar for two months for playing works by Aryan composers, as well as Czeriakow’s appeal to this decree, 342; May 24, 1942, describing a concert in which Jewish works were presented to a full auditorium, 358; and July 5, 1942, describing a concert accompanied by a parade of 600 primary school pupils, 374.

\(^{569}\) Trunk, 44. An example of the particular form that this expansion took under Rumkowski in the Lodz Ghetto is described by Dobroszyck in his introduction to The Chronicle of the Lodz Ghetto, xlviii.
“they served the Nazi propagated illusion that the continued existence of the ghettos was guaranteed, and also concealed the Final Solution (Endziel) from the Jews for as long as necessary.”

We thus see in the allowance of these two categories of tasks an example of the illusion of control and autonomy that the Councils operated under.

Taken together, these three categories of tasks serve to reflect the desperate situation of the Councils, which is relayed most effectively by Bergen, who explains that they were,

[C]aught between conflicting sets of demands. Above them loomed German orders; below them spread the ever more desperate needs of the Jewish communities of Eastern Europe. Members of the Jewish Councils had to respond to German demands for funds, goods, information, a labor force. If they refused or failed to do so, German officials would come and take what they wanted anyway. On the other hand, the Jewish Councils tried to help their people, to maintain order, to save lives, and to feed, clothe, and doctor the Jews in the ghettos.

As the war progressed, the exterminatory goal of the Nazi regime was underway, and the deportations began, “It was impossible to reconcile these two sets of goals in a situation where the German priority was destruction of the Jews.”

Thus, according to Hilberg, “As time passed the Jewish Councils became increasingly impotent in their efforts to cope with the welfare portion of their task, but they made themselves felt all the more in their implementation of Nazi decrees.”

Strategies of the Jewish Councils

According to Hilberg, “when confronted by a force, a group can react in five ways: by resistance, by an attempt to alleviate or nullify the threat (the undoing reaction),

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570 Trunk, 44.
572 Ibid., 114.
573 Hilberg, Destruction, v. 1, 218.
by evasion, by paralysis, or by compliance.” In this section, I will consider if and how the Jewish Councils adopted each of these five strategies in their attempts to balance the “conflicting sets of demands” placed upon them by Nazi orders and their commitment to their communities.

In his analysis of Jewish responses to Nazi persecution in general, Hilberg offers little attention to the first of these five strategies, resistance. Although there were various examples of Jewish resistance throughout the Holocaust, and these efforts are central for Jewish collective memory and history, Hilberg claims that the “reaction pattern of the Jews is characterized by almost complete lack of resistance.” He reaches this conclusion by considering the facts that the Jews had little to no resources for resistance (particularly after they were concentrated in the ghettos), whether armed or psychological, and, even in cases where resistance did occur, it was not able to impede the process of destruction, but instead resulted in severe reprisals for the Jews.

These factors are particularly reflected in the case of the Jewish Councils. Being mainly intellectuals and elders, the Council members had little resources to organize any form of resistance, particularly armed resistance. There were some cases, however, where Council members actively supported resistance movements. Itya Moshkin, for example, head of the Jewish Council in Minsk, remained in contact with the communist underground operations in the ghetto and the city of Minsk, a cooperation he ultimately paid with his life. This kind of active participation in resistance, was, however, rare among the Jewish Councils, for the primary reason that, motivated by their desire to

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574 Hilberg, *Destruction*, v. 3, 1030.
575 Ibid., 1030-1.
alleviate the suffering of their communities, they sought to avoid the reprisals that would inevitably come from such acts of resistance.576

The rarity of resistance or of cooperation with resistance among the Councils does not, however, negate the fact that resistance was possible and actual among Council members. In reality, because of the impossible situation the Councils faced, caught between Nazi orders and their attempts to secure the survival of their communities, any efforts that they took in order to secure that survival can be considered acts of resistance. In some cases, these acts still fell under the purview of Nazi directives and supervision, as we have seen in the second and third category of tasks identified by Trunk. In other cases, the Councils were involved in clandestine activities, at great risk to themselves. We find two examples of this in the diary of Abraham Tory.

In the Kovno ghetto, as in the others, a chance of survival depended very much on one’s ability to work in the labor camps. Nevertheless, the Kovno Jewish Council was actively involved in supporting over 8,000 Jews who were not able to work in the forced labor camps, and in concealing the identity of around 2,000 people who were not officially registered among the ghetto’s population. By concealing the identities of these people, who were mainly women, children, the sick, and the elderly, and also by providing for them, the Jewish Council saved them, at least temporarily, from both starvation and deportation, at great risk to themselves, and therefore resisted the Nazi forces they were pitted against.577

577 For example, on August 2, 1942, Tory tells us, “Two sisters have arrived in the Ghetto from Skaudvilé. They were saved by a miracle. Until now they have been hiding in peasant homes,” 120. On December 1, 1943, “A Jewish woman who has been
Tory’s diary, as well as the diaries of other Council members, also reveal another important means of resistance, the commitment to record the sufferings of their communities. Because the Nazi regime sought not only to eliminate the Jews, but also to obliterate any memory of their existence, these records function to preserve the memories and experiences of millions of people that would otherwise be lost. In his efforts not to let the experience of his community “sink into oblivion,” Tory not only recorded day-to-day events in his diary, but also collected various documents, including German orders and Jewish Council reports. He also encouraged others to record their experiences, most notably, a painter by the name of Esther Lourie, who documented daily life and death in the ghetto in over 200 paintings.

The second strategy on the part of the Jewish Councils was alleviation, or, “the attempt to avert the full force of German measures.” The most common way the Councils pursued this strategy was by making appeals and petitioning on behalf of their communities. This is in fact a strategy that had been employed previously throughout Jewish history. In previous cases of persecution, Jewish individuals and households sent petitions to their overlords and oppressors in their efforts to alleviate the pressures of

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579 Three out of the five crates in which he hid these materials were recovered after the war. Dobroszyck, “Introduction,” *Surviving the Holocaust*, xxiv.
580 Ibid., xiv- xvi, xxiv. In Tory’s entry of October 6, 1941, we read of the execution of many elderly and sick from the ghetto hospital (shot in pits dug by ghetto inmates), and the burning of the hospital, along with the ghetto’s medical supplies. (41-2) After this occurred, Tory took Lourie to the site of the hospital to paint the devastation. Most of these paintings were destroyed by the German forces, who set the ghetto on fire prior to the entry of the Soviet forces.
their occupiers. Ghettoization shifted this strategy so that it was the Council or the Chairman who petitioned on behalf of their entire community, drafting letters and appeals to various representatives in the Nazi administration. In many cases, these petitions were completely disregarded. However, in cases where even a small reprieve was granted, the confidence of the Councils in this strategy was strengthened.

Most often petitions were designed to achieve limited goals. Czerniakow in Warsaw appealed for the privilege of buying unrationed foodstuff for the ghetto. The Jewish leaders in Berlin asked for milk to be sent along with children about to be deported. Barasz in Bialystok tried to lower a deportation quota, and the Hungarian Jewish Council, accepting deportation as a given, wanted it only to be carried out in a humane spirit. All of these particular petitions were unsuccessful, as were most of the others, but pleas could never be dispensed with. For the Jewish leadership, they were the only conceivable means of dealing with the perpetrators.582

Another way the Councils attempted to “alleviate or nullify the threat” posed to their communities by Nazi forces and orders was through the strategy of “rescue through work.”583 This strategy was based on the assumption that Jewish labor was necessary to the German war effort, and therefore that “the Nazi commitment to racism would not be so irrational as to the point of to permit systematic weakening and destruction of a sorely needed labor force.”584 Even after the “final solution” was underway, as we have seen, this strategy continued, as the Council members made appeals arguing that more and more of their community members were instrumental to the work force of the ghetto.

The most well-known, or notorious, example of this strategy is its exercise by Rumkowski, who understood acutely that his ghetto would only survive as long as it was profitable to the Nazis and the war effort. This is reflected in a speech he delivered

582 Hilberg, Perpetrators, Victims, Bystanders, 114-15
583 Trunk, 400.
584 Robinson, 160.
publically in the ghetto on March 2, 1942, “My long-standing slogan, ‘Work,’ has proved itself from the start. We have seen many times over that only work brings calm. Experience has made it clear that, in our times, the basic law is that work protects us from annihilation.”

Based on this assumption, Rumkowski made every effort to protect those who could work. When the final deportations began, he continued to operate according to this strategy, as reflected in a notorious speech he delivered on September 4, 1942,

A grievous blow has struck the ghetto. They are asking us to give up the best we possess -- the children and the elderly. I never imagined I would be forced to deliver this sacrifice to the altar with my own hands. In my old age, I must stretch out my hands and beg. Brothers and sisters: Hand them over to me! Fathers and mothers: Give me your children!

We see here Rumkowski’s desperate attempt to alleviate the pressures of Nazi directives by requesting that his community offer up the weak, young, and sick, for the survival of the ghetto and its community.

The third strategy that Hilberg identifies is evasion, which took the form of flight from the ghetto or evasion of service in the Council. Although, as previously mentioned, there were some who avoided membership in the Councils by registering as laborers, or by emigrating, in most cases this was not an option. Once elected or chosen by the Nazis, the possibility of escape from the ghetto or from the task itself was nearly impossible, and also led to reprisals (often death or deportation) for the individual, their family, or others in their community. In addition, as previously indicated, evasion would have been considered by many to be an abandonment of their communities in a time of dire need.

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586 Ibid.
The fourth option, paralysis, resulted from recognition of the futility of all reactions and strategies in the face of Nazi orders.

There were instances when in the mind of the victim the difficulties of resistance, undoing [alleviation], or evasion were just as great as the problem of automatic compliance. In such instances the futility of all alternatives became utterly clear, and the victim was paralyzed. Paralysis occurred only in moments of crisis. During ghetto-clearing operations, many Jewish families were unable to fight, unable to petition, unable to flee, and also unable to move to the concentration point to get it over with. They waited for the raiding parties in their homes, frozen and helpless.  

Because paralysis implies a passive reaction, and because, as I have demonstrated, in most cases Council members were actively involved in attempting to alleviate the suffering of their communities until the very last moment, this was also not a common reaction among them. Even suicide, as in Czerniakow’s case, or the sharing of the fate of their communities in deportation can, I would argue, be considered active responses to their desperate circumstances, rather than passive reactions motivated by paralysis.

The fifth and final reaction, automatic compliance, can only really be considered in situations where Jews were issued direct orders that needed to be complied with, such as registering the population, drafting lists of deportees, etc, and therefore does not apply to the second two categories of tasks the Councils took on in their efforts to alleviate the suffering of their communities. Upon first glance, the compliance of the Council members with such directives likely seemed to be automatic, especially to the Nazis. However, when considered in light of their commitment to their communities, the constant state of terror under which they lived, and the illusion of control they operated under, such compliance becomes much more nuanced. These factors reveal that compliance, even if/ when complete or automatic, was never offered without

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587 Hilberg, *Destruction*, v.3, 1036.
consideration of the welfare of the communities that the Councils represented, nor was it ever free from the pressures of terror and manipulation.

In general, Hilberg concludes that the strategies of the Council members were characterized for the most part by appeal and compliance, both of which, he claims, were founded on precedents in Jewish history, and on previous strategies employed in various times of persecution and oppression. As previously indicated, all of these precedents aimed at the persecution and expulsion of the Jews, but never at their extinction. By the time that the Councils recognized this aim of their oppressors, however, it was too late, and they could not alter their strategies.

The Jews attempted to tame the Germans as one would tame a wild beast. They avoided “provocations” and complied instantly with decrees and orders. They hoped that somehow the German drive would spend itself. This hope was founded in a 2,000-year old experience. In exile the Jews had always been a minority, always in danger, but they had learned that they could avert or survive destruction by placating and appeasing their enemies…Thus over a period of centuries the Jews had learned that in order to survive they had to refrain from resistance. Time and again they were attacked. They endured the Crusades, the Cossack uprising, and the czarist persecution. There were many casualties in these times of stress, but always the Jewish community emerged once again like a rock from a receding tidal wave. The Jews had never really been annihilated. After surveying the damage, the survivors had always proclaimed in affirmation of their strategy the triumphant slogan “The Jewish people lives [Am Israel Chai].” This experience was so ingrained in the Jewish consciousness as to achieve the force of law. The Jewish people could not be annihilated. Only in 1942, 1943, and 1944 did the Jewish leadership realize that, unlike the pogroms of past centuries, the modern machinelike destruction process would engulf European Jewry. But the realization came too late. A 2,000 year-old lesson could not be unlearned; the Jews could not make the switch. They were helpless. 588

Arendt’s Representation of the Jewish Councils in EJ

The portion of Arendt’s report that deals with the Jewish Councils, although the primary source of the fury that continues to surround her report, takes up less than ten pages or 3% of the book. Arendt is clear in her report that she considered this aspect to be completely separate from and unrelated to the purpose of the trial, which was to assess Eichmann’s personal responsibility and mete out an appropriate punishment. In subsequent comments on the controversy caused by this aspect of her report, she claimed that it had played “no prominent role either in space or in emphasis. It has been blown out of all reasonable proportions.”

That Arendt included a consideration of the Councils in her report at all is because their role was brought up at the trial by the judges, by the prosecution, and in and through the testimony of a former member of the Councils. Judge Yitzak Raveh, “elicited from one of the resistance witnesses … an acknowledgement of “the Judenrat’s policy of cooperating with the Nazis.” Judge Halevi “found out from Eichmann in cross-examination that the Nazis had regarded this cooperation as the very cornerstone of their Jewish policy.” The prosecution, Arendt maintains, brought up this issue with each witness that was not directly involved in resistance against the Nazis, asking why they did not rebel, a question that Arendt concluded served a “smokescreen” for the question that was not asked, “Why did the Jewish functionaries cooperate?”

The testimony of the only witness who was a former member of the Councils, Pinchas Freudiger of

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589 Arendt, “Answers to Questions Submitted by Samuel Grafton,” in The Jewish Writings, 482.
590 EJ, 124.
Budapest, elicited screams and outrage from the crowd that prompted the judges to interrupt the proceedings.592

Arendt found it strange that the issue of the Councils was brought up at the trial, especially by the prosecution, for a few reasons. First of all, it could not contribute to an assessment of Eichmann’s personal responsibility and punishment, which, as I have indicated, she emphasized were the primary purposes of the trial. Thus, she concluded that it was legally irrelevant. In addition, it functioned to weaken the case of the prosecution, which was built on the presumption that Eichmann alone was personally responsible for his actions and had intended them based on his antisemitic commitments. Addressing the fact that “the naming of individuals who were sent to their doom had been, with few exceptions, the job of the Jewish administration,” would therefore have complicated not only their representation of Eichmann, but also the “clear-cut division between perpetrators and victims” upon which their case was built.593

Regardless of the legal irrelevance of the role of the Jewish Councils for assessing Eichmann’s personal responsibility and punishment, because their role was brought up at the trial, Arendt considered it her duty to report on it. Because of the direct nature of her

592 EJ, 124.
593 EJ, 119-20. Despite the legal irrelevance of the issue of the Jewish Councils, Arendt concluded that the prosecution had a “political intention” in emphasizing it. This intention, which she claims was really that of Mr. Hausner (or Ben Gurion), was “to demonstrate that whatever resistance there had been had come from Zionists, as though, of all Jews, only the Zionists knew that if you could not save your life it might still be worth while to save your honor.” However, she claimed that this emphasis had “misfired” as many of the witnesses revealed that in fact it was Jewish organizations in general (not just individual Zionists or Zionist organizations) that had played a significant role in resistance operations. Thus, she concludes, “the true distinction was not between Zionists and non-Zionists but between organized and unorganized people, and, even more important, between the young and the middle-aged.” EJ, 122.
comments, which Jacob Robinson calls her “charges” against the Jewish Councils and Bauman calls her “harsh verdict” against them, I will present them in full and in extended quotations, which will be analyzed further in the following section in light not only of the responses and critiques of these comments, but also in light of Arendt’s responses to these critiques.

In discussing Eichmann’s reliance on the “cooperation” of the Councils, and the Jewish administration more generally, based on his own testimony, Arendt indicates,

Of course, he [Eichmann] did not expect the Jews to share the general enthusiasm over their destruction, but he did expect more than compliance, he expected- and received, to a truly extraordinary degree- their cooperation. This was “of course the very cornerstone” of everything he did, as it had been the very cornerstone of his activities in Vienna. Without Jewish help in administrative and police work- the final rounding up of Jews in Berlin was, as I have mentioned, done entirely by Jewish police- there would have been either complete chaos or an impossible drain on German manpower.

In discussing the motivations, tasks, and strategies of the Jewish Councils, Arendt indicates,

In the matter of cooperation there was no distinction between the highly assimilated Jewish communities of Central and Western Europe. In Amsterdam as in Warsaw, in Berlin as in Budapest, Jewish officials could be trusted to compile the lists of persons and of their property, to secure money from the deportees to defray the expenses of their deportation and extermination, and to keep track of vacated apartments, to supply police forces to help seize Jews and get them on trains, until, as a last gesture, they handed over the assets of the Jewish community in good order for final confiscation…. In the Nazi-inspired, but not Nazi-dictated, manifestoes they issued, we still can see how they enjoyed their power- “The Central Jewish Council has been granted the right to absolute disposal over all Jewish spiritual and material wealth and over all Jewish manpower,” as the first announcement of the Budapest Council phrased it. We know how the Jewish Councils felt when they became instruments of murder- like captains “whose ships were about to sink and who succeeded in bringing them safe to port by casting overboard a great part of their precious cargo”; like saviors

594 Robinson, 142.
595 Modernity and the Holocaust, 117.
596 EJ, 117.
who “with a hundred victims save a thousand people, and with a thousand ten thousand.” The truth was even more gruesome. Dr. Kastner,\(^{597}\) in Hungary, for instance, saved exactly 1,684 people with approximately 476,000 victims. In order not to leave the selections to “blind fate,” “truly holy principles” were needed “as the guiding force of the weak human hand which puts down the name of the unknown person and with this decides his life or death.” And whom did these “holy principles” single out for salvation? Those “who had worked all their lives for the zibur [community]”- i.e., the functionaries – and the “most prominent Jews” as Kastner says in his report.\(^{598}\)

No one bothered to swear the Jewish officials to secrecy; they were voluntary “bearers of secrets,” either in order to assure quiet and prevent panic, as in Dr. Kastner’s case, or out of “humane” considerations, such as that “living in the expectation of death by gassing would be the harder,” as in the case of Leo Baeck, former Chief Rabbi in Berlin. During the Eichmann trial, one witness pointed out the unfortunate consequences of this kind of “humanity” - people volunteered for deportation from Theresienstadt to Auschwitz and denounced those who tried to tell them the truth as being “not sane.”\(^{599}\)

We know the physiognomies of the Jewish leaders during the Nazi period very well; they ranged all the way from Chaim Rumkowski, Eldest of the Jews in Lodz, called Chaim I, who issued currency notes bearing his signature and postage stamps engraved with his portrait, and who rode around in a broken-down horse-carriage; through Leo Baeck, scholarly, mild-mannered, highly educated, who believed Jewish policemen would be “more gentle and helpful” and would “make the ordeal easier” (whereas in fact they were, of course, more brutal and less corruptible, since so much more was at stake for them); to, finally, a few who committed suicide - like Adam Czerniakow, chairman of the Warsaw Jewish Council, who was not a rabbi but an unbeliever, a Polish-speaking Jewish engineer, but who must still have remembered the rabbinical saying: “Let them kill you, but don’t cross the line.”\(^{600}\)

Based on her representation of the Councils in *EJ*, Arendt concludes,

> Wherever Jews lived, there were recognized Jewish leaders, and this leadership, almost without exception, cooperated in one way or another, for one reason or

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\(^{597}\) Rudolf (Rensō) Kastner was the assistant president of the Zionist Organization in Hungary. In April of 1944 he headed negotiations with *Hauptsturmführer* Wisliceny (of Eichmann’s *Sonderenatzkommando*), in order to allow 1,600 Jews to escape to Palestine, for a price. The Jewish leadership selected those Jews to be included on this transport. In 1957 he was assassinated after being accused by an Israeli court of collaborating with the Nazis. Hilberg, *Destruction*, vol. 2, 843-4.

\(^{598}\) *EJ*, 118.

\(^{599}\) Ibid., 118-19.

\(^{600}\) Ibid., 119.
another, with the Nazis. The whole truth was that if the Jewish people had really been unorganized and leaderless, there would have been chaos and plenty of misery but the total number of victims would hardly have been between four and a half and six million people. ...I have dwelt on this chapter of the story, which the Jerusalem court failed to put before the eyes of the world in its true dimensions, because it offers the most striking insight into the totality of the moral collapse the Nazis caused in respectable European society - not only in Germany but in almost all countries, not only among the persecutors but also among the victims.601

Responses, Critiques, Limitations

Perhaps it will already be clear from my overview of the Councils that Arendt’s representation of them is replete with generalizations and limitations. For this reason, the vast majority of responses it occasioned are critiques. In this section, I will consider some of the most common and important critiques that have been leveled against this representation. In some cases, Arendt provided responses to these critiques, either implicitly or explicitly, in interviews or in later writings that in fact reveal some subtleties of her representation of the Councils that are missing from EJ and serve to temper and clarify her representation of them. In other cases, these critiques serve to reveal important limitations of this representation.

One of the most common critiques of Arendt’s representation of the Councils is that she misunderstood or misrepresented their role and the consequences of this role for the “final solution.”602 In her report, Arendt explicitly ascribes the Councils a consequential role in this regard, as is evident from her statement, “The whole truth was that if the Jewish people had really been unorganized and leaderless, there would have been chaos and plenty of misery but the total number of victims would hardly have been

601 Ibid., 125-6.
602 Lipstadt, 156; 175-6; Young-Bruehl, 345; Syrkin, “Miss Arendt Surveys the Holocaust,” 7-14; Musmanno, “Man with an Unspotted Conscience,” 40-1.
between four and a half and six million people.” In other words, if the Councils had refused to “cooperate” with the Nazis, fewer people would have died.

This criticism, which Arendt never responded to directly, reveals some important limitations of her representation of the Councils. The most important of these is that the Nazis were just as effective, if not more effective, in accomplishing their exterminatory goals in places where they did not establish Jewish Councils. This is especially clear in areas where no ghettos were established, such as in Soviet territories, where Jews were killed en masse by Einsatzgruppen squads. In addition, even where ghettos were established and Councils were operational, they did not always have the role that Arendt ascribes to them, which consisted primarily of drafting lists of those to be included on the transports out of the ghettos to the killing centers. In some cases, those to be included on these transports were selected by the Nazis themselves, either in the streets or at mandatory assemblies. Even in cases where the Councils did draft these lists, it was ultimately the Nazis who decided who was included on the transports, and so the lists were not the definitive last word. Thus, Arendt’s conclusion that the Councils were instrumental to the “final solution” ignores the facts that, as Michman makes clear,

In most cases the Einsatzgruppen and Wehrmacht embarked on systematic murder in the occupied Soviet Union in summer 1941, even before the Judenräte were established. Sometimes even where Judenräte were formed, they were not initially asked to serve the needs of the extermination operation. Elsewhere (for

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603 This is emphasized by Yehuda Bauer, who indicates, “Hannah Arendt’s conclusion that had there been no Judenräte, the Germans would have faced serious problems is restated despite [here he is referring to Zygmunt Bauman’s analysis of the Councils in Modernity and the Holocaust, 117-150] the fact that many of the Soviet territories had no Judenräte, and the destruction was even more efficient there than in Poland.” Rethinking the Holocaust, 77.

604 Robinson, 163-4.
example, in Croatia in 1941-43 or in Italy in 1943) the extermination went about its work although Judenräte were not established at all.605

In his critique of this aspect of Arendt’s representation of the Councils, Robinson provides a detailed list of places where the Judenräte did not exist, or where they were not involved in the “cooperation” that Arendt charges them with. He concludes that there were “3,900,000 victims whose ultimate fate was certainly not influenced by the existence of the Judenräte.” Subtracting this number from the total number of Jews who were murdered in the Holocaust, for which he relies not on Arendt’s “between four and a half and six million,” but on Hilberg’s 5,100,000, he claims, “There remain 1,200,000 cases where the influence of the Jewish Councils may have had a part in the final outcome of the extermination.” Thus, he concludes, “In light of the evidence, one can only conclude that the role played by Jews was negligible, that it could not have been decisive in the final outcome.”606

Arendt’s ascription of a central role to the Councils in the “final solution” has also led to the critique that she blamed the Jews, or at least the Jewish leadership, for the destruction of their own people. In a way, as indicated in my previous chapter, this critique needs to be considered in light of the critique, or misunderstanding, that Arendt sympathized with, or even defended Eichmann. Although I have already discounted this interpretation, because it was widespread, it was often coupled with and exacerbated the charge that Arendt was blaming the Jews for their “cooperation” in the “final solution.”

605 Dan Michman, “Reevaluating the Emergence, Function, and Form of the Jewish Councils Phenomenon,” 79.
606 Robinson, 167.
Thus, she was charged with exonerating the true perpetrators, the Nazis, or at least Eichmann, and blaming the victims.607

To clarify the fact that Arendt did not sympathize with or defend Eichmann, but in fact condemned him (as I have argued on a more damning basis than the court does), does not, however, necessarily mean that she did not blame the Councils for their “cooperation.” Within this context, it seems that to do so would simply be to imply that they had a central role in the “final solution,” which they ought not to have had. Such an implication already seems apparent in Arendt’s ascription of a central role to the Councils, and also in her claim that this role resulted from their almost universal compliance with Nazi orders, “Wherever Jews lived, there were recognized Jewish leaders, and this leadership, almost without exception, cooperated in one way or another, for one reason or another, with the Nazis.” In order to consider more carefully whether or not Arendt in fact blames the Councils in this way, however, we need to examine the options that she believes were available to them, and whether she believes they in fact had any other option other than compliance with Nazi directives.

It is here that we find an important subtlety of Arendt’s representation of the Councils, in that she was very clear that there was one option that was never available to them: resistance. In EJ, Arendt in fact criticized the prosecution for suggesting that resistance was an option for anyone under the circumstances of totalitarian terror, especially the Councils. She cites the many times that Hausner raised the question of resistance to witnesses during the trial, and argues, both in terms of the witnesses in general and the Jewish Councils in particular, that this question was “silly and cruel,

since it testified to a fatal ignorance of the conditions at the time.’”\textsuperscript{608} Within this context, “There was no people and no group in Europe which reacted [or could have reacted] differently under the immediate pressure of terror.”\textsuperscript{609} Particularly in the case of the Councils, she insists, “There never was a moment where “the community leaders” could have said “Cooperate no longer, fight!”\textsuperscript{610}

In rejecting the viability of resistance as a strategy or option for the Councils, Arendt is here in agreement with Hilberg, who claims not only that the Councils lacked the resources for resistance, but also that such resistance would have been largely ineffective (at least in terms of hindering the “final solution”). Arendt’s insistence that resistance was not an option for the Councils may, therefore, serve to temper the blame she places upon them for their “cooperation” with the “final solution.” After all, if they did not have the option to resist, is it reasonable to expect any other course of action from them?

As we have already seen, however, although Hilberg largely discounts the possibility of resistance among the Council members, this does not lead him to attribute the same central role in the “final solution” to them as Arendt. This is because, having discounted this strategy, he moves on to others that were applied by the Councils. Arendt, by contrast, not only fails to consider these other options, but also assumes that, because they lacked the option of resistance, the Councils defaulted to automatic compliance with Nazi directives.

\textsuperscript{608} EJ, 283.
\textsuperscript{609} Arendt to Scholem, “Eichmann in Jerusalem,” 54.
\textsuperscript{610} “Answers to Questions Submitted by Samuel Grafton,” 480.
Arendt’s failure to consider the Council members’ various and varied responses to Nazi orders therefore demonstrates another important limitation of her representation of them. In failing to account for these strategies, particularly the various attempts the Councils made to “alleviate or nullify the threat” posed by Nazi forces and policies, Arendt ignores all of the relief efforts the Councils were involved in, as well as the many tasks they undertook to secure the welfare of their communities. She therefore does not consider the appeals and petitions they made on behalf of their communities, their attempts to provide shelter, food, or medical supplies to their communities, or their desperate efforts to save as many people as possible from deportations, all of which are central to a balanced and informed representation of the Councils.

Although Arendt does not consider the varied and various responses of the Councils, she nevertheless insists that there was another option, other than compliance, which they missed and should have opted for, “doing nothing,” or “nonparticipation.” In explaining this option to Scholem, she indicates, “in order to do nothing, one did not need to be a saint, one needed only to say: I am just a simple Jew, and I have no desire to play any other role.” Thus, although resistance was not an option, according to Arendt, the Councils should not have opted for compliance (although this was not, in fact, their default position), but instead recognized that “There certainly was a moment when…[they] could have said: We shall no longer cooperate, we shall try to disappear.”

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612 “Answers to Questions Submitted by Samuel Grafton,” 481. The original quotation reads “the Jewish leaders” rather than “they.”
Unfortunately, Arendt never elaborates on what exactly “doing nothing” would have looked like for the Councils, on what the possibilities for this option were at any given moment, or on what would have been accomplished by taking this option. Perhaps most importantly, however, she fails to consider this option in light of the primary motivations of the Council members, which were, as I have argued, a commitment to their communities and a desire to alleviate their suffering. When considered in light of these motivations, and the complexity of the situation of the Councils, this option seems less and less viable.

After all, if “doing nothing” entailed the attempt to evade their responsibilities as Council members, it would, as Hilberg demonstrates, not only have been nearly impossible in almost every case (because of terror and the nature of the ghetto system), but would also have resulted in reprisals against their communities, thus increasing their suffering. If it entailed a refusal to comply with Nazi orders at any point, it would have resulted in reprisals not only against the Council members themselves, but also against their families and communities, as well their replacement by more amenable persons, which would have increased the suffering of their communities. Perhaps most importantly, as previously demonstrated by Czerniakow’s entries condemning those who evaded service in the Councils, Council members would have understood “doing nothing” as an abandonment of their communities in a time of dire need.

Arendt’s claim that the Councils missed or failed to take the option of “doing nothing,” and instead opted for compliance, although based on serious limitations in her representation of the Councils, certainly seems to confirm her critics’ charge that she is blaming the Councils for this cooperation, and for their role in the “final solution” that
this cooperation entailed. Nevertheless, there is another subtlety here that needs to be considered, and that is that Arendt tells Scholem that there was a “moment” when the Jewish leaders should have said “We shall no longer cooperate, we shall try to disappear.” When exactly, we might ask, was this moment?

Arendt explicitly indicates that this moment came in 1941. What becomes clear, therefore, is that she does not in fact blame the Councils for their “cooperation” or for their compliance before this time, as evidenced by her claim, “[U]ntil 1939 and even until 1941 whatever Jewish functionaries did or did not do was understandable and excusable.” It is in fact only after 1941 that she claims that the “cooperation” of the Councils with the Nazis becomes “highly problematical.”

Arendt’s positing of 1941 as the decisive year here is due to the fact that this is when she assumes that, because the “final solution” was underway and the final deportations of German Jews had begun, the Council members would have become aware of the genocidal intent of the regime. As previously indicated, when such information was received and when it was believed varied. Nevertheless, Arendt insists that even if “The question of what was known and what was not known is often difficult to decide… in quite a number of instances it is clear that the Jewish leaders knew what the Jewish people at large did not know.” It is therefore only at this moment, when the Council members knew of the “final solution,” which of course would have been different for each of them, that they should have opted for “doing nothing.”

Even at this point, however, what “doing nothing” would have looked like and what it would have accomplished continues to remain vague, and also fails to account for

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613 Arendt to Scholem, “Eichmann in Jerusalem,” 54-5.
614 “Answers to Questions Submitted by Samuel Grafton,” 481.
the personal motivations of the Council members, as well as their various and varied responses to Nazi orders, not all of which can be considered strict compliance. As I have demonstrated, even after they learned of the “final solution,” many Council members continued in their increasingly desperate efforts to alleviate the suffering of their communities in whatever ways possible. In fact, in many cases, this knowledge strengthened their resolve not to abandon their communities. To say that all Council members reacted to the knowledge of the “final solution” by continuing to comply with Nazi orders, and therefore became complicit in the destruction of their communities, is therefore to miss the complexity of a situation in which even the smallest and most desperate attempts to alleviate suffering, though increasingly less effective, were preferable to abandonment of the community, or “doing nothing.”

Although Arendt continues to ignore these various and varied responses to Nazi orders, as well as the motivations behind them, her claim that the Councils should have opted for “doing nothing” after they knew of the “final solution” also functions to explain why she ignores these complex factors. Essentially, this is because after they received knowledge of the “final solution,” all of these strategies and motivations became, in her mind, obsolete. In other words, it became irrelevant what the Council members did (other than strictly complying with orders), or meant to do (particularly alleviating the suffering of their communities), because they were continuing to serve in a capacity that was intended to contribute to the destruction of their communities. Thus, any kind of continued service in the Council, and any form of continued compliance with Nazi directives, regardless of whether it allowed for temporary alleviation of suffering, ultimately also contributed to the goal of the “final solution.” Arendt makes this clear in
her answers to a series of questions occasioned by the controversy caused by her report.

When asked,

> Have not Jewish leaders worked with gentile overlords throughout the Diaspora, cajoling, cooperating, and maneuvering? Was not the method frequently successful? If the old methods had become obsolete were not the Jewish leaders guilty, at most, of an historical misinterpretation? Could they be expected to realize that Nazism was not the final development of antisemitism, but the first manifestation of a new evil, complete totalitarianism linked with genocide?\(^{615}\)

Arendt replies,

> Your thesis here is somewhat similar to the thesis of Hilberg [I have already presented Hilberg’s conclusion that the Councils responded to their situation with precedents from Jewish history, which they were unable to abandon once they learned of the unprecedented nature of the situation they were facing]. I have no theory of my own; in order to make a proposition, I’d have to go deeply into Jewish history, something I do not intend to do. On the spur of the moment, I would say, however, that even if your thesis is correct, it can apply only to the initial stages of the Nazi regime; it cannot possibly explain the role of the Judenräte in sending people to their death.\(^{616}\)

It therefore becomes clear that consideration of the strategies and motivations of the Council members after they had learned of the “final solution” was, in Arendt’s mind, irrelevant, and cannot account for their continued obedience to Nazi orders.

Perhaps if Arendt had been (much) clearer about the fact that her representation of the Councils in *EJ* in fact only applied to those who continued to serve in the Councils after 1941, this would have functioned to temper some of the critiques against her, as well as some of the apparent limitations of her overall representation. As it stands, however, because this is not readily apparent, the facts that Arendt does not consider the various and varied strategies of the Councils, and especially their personal motivations, continues to expose limitations of this overall representation. Although Arendt did not

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\(^{615}\) Ibid., 473.

\(^{616}\) Ibid., 482.
consider this representation to be central to the purpose of her report on Eichmann’s trial, it was nevertheless her responsibility to present the Councils in a balanced and clear way, which she failed to do. As with her representation of Eichmann, she therefore bears much of the responsibility for what she said, failed to say, and the reception of what she said about the Councils.

Another very common criticism of Arendt’s representation of the Councils is that it is based on generalizations of every aspect of the Councils, including their strategies, their responses to Nazi directives, and their motivations.\(^617\) I have already suggested that some degree of generalization may be necessary when dealing with a topic that is as vast as the Councils, since they were influenced by so many varied and various factors, such as local events, initiatives (on the part of the Nazis and the Jews), and the personal psychologies of Council members. Because the portion of Arendt’s report that addresses the Councils is short, and also because she does not consider them to be relevant to the primary purpose of her report, it might also stand to reason that generalization is unavoidable in her representation of them.

That such generalization is unavoidable or necessary, does not, however, excuse the fact that Arendt’s representation of the Councils engages in it in an egregious manner, as her critics claim. I have already demonstrated that Arendt in fact fails to account for the various and varied strategies adopted by the Councils, their responses to Nazi directives, and their personal motivations. In doing so, she in fact does generalize them, concluding that all Councils members reacted with compliance, and that this compliance with Nazi orders resulted in their complicity.

\(^{617}\) Lipstadt, 157; Young-Bruehl, 144.
In fact, the only place where Arendt begins to move away from generalization in her representation of the Councils is in her consideration of the various “physiognomies” of the Council members in *EJ*, which she claims ranged,

[A]ll the way from Chaim Rumkowski, Eldest of the Jews in Łódz, called Chaim I, who issued currency notes bearing his signature and postage stamps engraved with his portrait, and who rode around in a broken-down horse-drawn carriage; through Leo Baeck, scholarly, mild mannered, highly educated, who believed Jewish policemen would be “more gentle and helpful” and would “make the ordeal easier” (whereas they were, of course, more brutal and less corruptible, since so much was at stake for them); to, finally, a few who committed suicide-like Adam Czerniakow, chairman of the Warsaw Jewish Council, who was not a rabbi but an unbeliever, a Polish-speaking Jewish engineer, but who still must have remembered the old rabbinical saying: “Let them kill you, but don't cross the line.”

This consideration does little, however, to temper the generalizations involved in Arendt’s representation of the Councils. After all, in considering the “physiognomies” of the Council members she is not taking into account their motivations or reactions to directives, but instead is considering their characters in light of her own interpretation of their actions, which, as I have already established, is severely limited.

The final criticism of Arendt’s representation of the Jewish Councils I will consider, and that to which she responded the most directly, was the claim that her representation of the Councils was in fact a judgment of them (which I have already partly confirmed in concluding that she blames them), and that she had no right to pass such judgment, since she had not experienced their situation herself. This is perhaps most clearly stated by Scholem,

In your treatment of the problem of how the Jews reacted to these extreme circumstances- to which neither of us was exposed- I detect, often enough, in place of balanced judgment, a demagogic will-to-over-statement. Which of us can

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618 *EJ*, 119.
say to-day what decisions the elders of the Jews- or whatever we choose to call them- ought to have arrived at in the circumstances? I have not read less than you have about these matters, and I am still not certain; but your analysis does not give me confidence that your certainty is better founded than my uncertainty. There were the Judenräte, for example; some among them were swine, others were saints. There were among them also many people in no way different from ourselves, who were forced to make terrible decisions in circumstances that we cannot even begin to reproduce or reconstruct. I do not know whether they were right or wrong. Nor do I presume to judge. I was not there. 619

Before examining Arendt’s explicit and implicit response to this critique, it should be noted that although her representation of the Jewish Councils has certainly been the most controversial, she was not the first to call attention to their role in the ghettos, and even in the “final solution” more generally, nor was she the first to do so in a condemnatory way. In addition, as we have already seen in my analysis of the concentration camps, there are limits to Arendt’s judgment of those within the context of totalitarian systemic evil.

In my summary of the Jewish Councils, I presented some of the scholars who have produced important analyses of the Jewish Councils, including Trunk, Hilberg, Bauman, Bergen, Bauer, and Browning. Arendt was thus not the first to call attention to the role of the Jewish Councils throughout the Holocaust. What differentiates her account from these others, however, is that her representation of their role and actions results in her condemnation of them, at least if they continued to comply with Nazi directives after they learned the destination of the final transports. This kind of condemnation, or judgment, is markedly missing in more nuanced accounts of the Councils and their role, in fact, most commentators argue not only that it is inappropriate but also impossible to

619 Scholem to Arendt, “Eichmann in Jerusalem,” 52.
judge the Councils because of the unprecedented circumstances they faced. Bauman perhaps put this best,

> It is unfair and misleading to judge human behavior under conditions of such choice against the standards of much less consequential and dramatic decisions made in ordinary life, where conflicts between self-interest and responsibility for others are often sharp, but hardly ever ultimate, or calling for irreversible choices. Most ordinary conflicts, besides, are faced singly, in an environment in which most other people do not need to make choices of comparable moral intensity—and hence the visibility of moral standards remains strong. Such an environment was effectively destroyed in ghettos in the course of the staged destruction. Whatever remained of the authority of moral obligations over rational self-interest was ‘phased out’ in the passage through successive circles of hell.  

> Although most scholars agree with Bauman that it is not possible to judge the actions of the Councils, Arendt is also not the first one to engage in this kind of judgment. We see this particularly in accounts written by those who survived the Holocaust, and who lived in ghettos where the Councils operated. The high degree of opposition that the Councils received from their communities at the time of their formation continued throughout the war, and is attested to in the numerous diaries and memoirs of those who survived the ghettos. We see this particularly in Emmanuel Ringelblum’s *Notes from the Warsaw Ghetto*, where he describes not only his own impressions of the Council, but also the impressions of his community.
establishment of the ghetto, he writes, “The Jewish Council of Warsaw shows the least interest in its people.”622 Less than a year later, he writes,

Another reason why people evaded work service was the criminal attitude of the Council, which, neither this year nor last, did anything to help the campers themselves. The Council members who went to see the camps last year didn't even visit them; still they came back with the good word that everything was all right...The Jewish Council’s work department is not only corrupt, it is completely indolent as well. Every little thing (a special registration, for instance) seems to require superhuman effort on the part of everyone concerned. To get a medical examination you have to spend some two or three days waiting from five in the morning- of course, you can go into the examination room by the side entrance for 5-10 zlotys. Nothing was anticipated. Complete anarchy and dry rot. Because of all this, the heads of the Council’s work department lost their heads, and, unable to control the situation, took to kidnapping people...Those were hideous days, and they will forever be remembered unto the Jewish Council as a mark of shame. The Jewish populace’s wrath at the Council was indescribable.

The Jewish Council has adopted the old Czarist slogan: “Keep quiet. Don't argue.” No discussion is permitted at any of their meetings, and certainly no questioning. They held a meeting of doctors dealing with antityphus inoculations; no discussion was permitted. Czerniakow is regarded as an idol. In general, they have taken over the Fuehrer principle.623

This opposition is also apparent in the recently published account of the testimonies of members of the Jewish Police in the Kovno ghetto. Although the Ghetto Police were meant to work with the Council, a partnership that was facilitated by the fact that the Chief of Police was also a member of the Council, as the war progressed the subservience of the Police force to the Council became more pronounced as the Police were left to do much of the “dirty work,” such as selecting and rounding up people for labor. This led animosity between the two groups, and resentment of the Council by the Police force, who accused the Councils of being unjust and seeking exemptions from

623 Ibid., April 26 1941, 157, 160-4.
labor, as well as allowing better food to be procured and distributed among the elite of the ghetto population.

Without any doubt, the Elder Council knew of the injustices being perpetrated in the offices. There is also no doubt that the two principal leaders of the Elder Council were personally very clean and kosher. However, the trouble is that they did not adequately react—they did not undertake really energetic mass measures against all these dark elements. They never were, and to this day are not, sufficiently energetic, lacking the personal initiative to tear out the evil by its roots. In addition, there were those who interfered, because for them, for some of the assistants, it was more worthwhile to allow matters to go on as they were, since they personally derived benefits from this. 624

Communal opposition to the Councils also continued in the immediate aftermath of the war, when Council members were called to stand trial in Courts of Honor that were presided over by survivors in displaced persons camps. In these courts, membership in the Councils was not considered punishable in itself, but the actions of individual Council members became subject to scrutiny. On what constituted condemnable actions and how to evaluate them, these courts remained ambiguous. They did not, however, consider anyone to be absolved from personal responsibility simply because they were carrying out orders; and they rejected the argument that the Council members had no choice but to follow Nazi orders. In cases where more than one community member came forth to accuse Council members, each case was considered in light of the evidence and specific acts involved. The punishments meted out consisted of,

Bans against holding any position in the organizations and institutions of the displaced persons, and dismissal from such a position if the convict held it before the trial. The sentence could also decree that the defendant was not entitled to material assistance by any Jewish relief organizations (such as the Joint

Distribution Committee) or to emigration with the help of the Jewish Agency for Palestine or HIAS. As a rule, copies of sentences were given to the relevant *Landsmanschaften* [local societies and relief organizations] and the press of the displaced persons. The most severe sentences labeled the defendant as a “traitor of the Jewish people,” which entailed banishment from the Jewish community or, as happened in one case, transfer to the military court of the allied occupation authority.  

These courts did not result in the trial of many Council members, either because they had not survived or because accusations of community members were generally against the Jewish police rather than Council members, towards whom many felt more favorably. There were, however, some Council members tried and convicted, including Julius Zigel, former Councilman in Bedzin,  

Zigel was sentenced for assaulting Jewish workers, lawless increase of work norms, etc. Four witnesses testified. The verdict was announced in Milan, where the case was tried by the Court of Honor on July 19, 1946. It states: “Zigel did not act properly, did not help his brethren to fight the enemy under all circumstances and by all means available. Quite the contrary, he carried out all tasks…over and above his orders, beating [victims] on his own initiative….Although no evidence has been produced that Zigel carried out these harmful activities for his own benefit, and although…he expressed his sincere remorse, his guilt has been proven.” … the Court of Honor “condemned the actions of J. Zigel…as criminal and harmful to the Jewish community…during five and one half years,” and Zigel was “forbidden to hold any position in the public life of the Jews.” Copies of the verdict were to be sent to all relevant organizations in Italy.  

It may seem feasible that some Council members would have been tried in Israel under the law that Eichmann was convicted, the Nazi and Nazi Collaborators (Punishment) Law of 1950. However, the trials that enforced this law, which were held from 1951 to 1964, were reserved specifically for Jewish Policemen and Kapos, and no Council members were ever tried there.  

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625 Trunk, 551.  
626 Ibid., 554-5.  
627 Ibid., 561-2.
Although Arendt was not the first to condemn the Councils in this way, it is also important to note that there are, as we have already seen in her analysis of the concentration camps, limits to her judgment of those who lived and worked within the totalitarian context. For her, the possibility of judging the Councils depended on the fact that they did not live or work in the concentration camps, the only part of totalitarian society where she claims “total domination” was achieved. Thus, unlike those who were systematically destroyed, deprived of their capacity for independent thought and action in and through the destruction of their judicial, moral, and individual persons, the Council members maintained, according to her, “a certain, limited freedom of decision and of action.” It was this “limited freedom” that offered them the possibility of “doing nothing.”

Although I have already problematized Arendt’s positing of “doing nothing” as an option for the Council members, it is also not difficult to see, based on her analysis of the concentration camps, that this option would certainly not have been available to those working in the camps. This possibility is therefore what prompts her to argue that the Council members could have, and therefore should have acted differently, and that she herself (and presumably others), have the right to judge their actions. Arendt expresses this most clearly in her reply to Scholem,

Moreover, we should not forget that we are dealing here with conditions which were terrible and desperate enough, but which were not the conditions of the concentration camps. These decisions were made in an atmosphere of terror but

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628 Even Mary McCarthy, one of Arendt’s most staunch and effective defenders, admits that “Miss Arendt perhaps exaggerates the size of this space [here referring to the possibility of “doing nothing” as the space between resistance and cooperation], and it must have varied from country to country and from town to town.” “The Hue and the Cry,” 85.
not under the immediate pressure and impact of terror.\textsuperscript{629} These are important differences in degree, which every student of totalitarianism needs to take into account. These people had still a limited freedom of decision and of action. Just as the SS murderers also possessed, as we now know, a limited choice of alternatives. They could say: “I wish to be relieved of my murderous duties,” and nothing happened to them. Since we are dealing here with men, and not with heroes or saints, it is this possibility of “nonparticipation” (Kirchheimer) that is decisive if we begin to judge, not the system, but the individual, his choices, and his arguments.\textsuperscript{630}

Although this statement by Arendt makes (another) inexcusable error, by equating the choices and alternatives of “SS murderers” with Council members, thus failing to take into account the power relations that are essential to this context, it also demonstrates how and why she considered the actions of the Council members, unlike those in the camps, to be open to judgment.

It is therefore not correct, as some critics have claimed, that Arendt judges the actions of the Sonderkommando in the same way that she judges the Jewish Councils.\textsuperscript{631} In her report, Arendt discusses the role of these “special squads,” who were charged with the operation of the gas chambers and crematoria in the killing centers.\textsuperscript{632} She considers

\textsuperscript{629} I have already argued, however, that the Councils lived and worked under the immediate pressure of terror. This terror would not, however, be considered to be “total,” according to Arendt, who claims that this occurred only in the concentration camps.\textsuperscript{630} McCarthy, “The Hue and the Cry,” 85.

\textsuperscript{631} For example, Robinson argues “In addition to the Judenräte and the Jewish Police, a third Jewish group is accused by Miss Arendt of being “responsible” for the murder of the Jews: the Jewish Special Units (Sonderkommandos) in the extermination camps.” 200. Lipstadt also claims, “The members of the Judenrat were not the only Jews Arendt condemned. She also took aim at the Sonderkommandos...” \textit{The Eichmann Trial}, 158.

that they “had everywhere been employed in the actual killing process,”\textsuperscript{633} and also that their various tasks included “[H]ow they had worked in the gas chambers and the crematories, how they had pulled the gold teeth and cut the hair of the corpses, how they had dug the graves and, later, dug them up again to extinguish the traces of mass murder…”\textsuperscript{634} However, Arendt never explicitly judges the Sonderkommando, nor does she place them in the same category as the Councils. I therefore argue that her analysis of them needs to be considered in light of her previous analysis of the concentration camps and radical evil, which we find in \textit{OT}, rather than in light of her judgment of the Jewish Councils. They thus present us with another example of the concentration camp inmate, who is deprived of spontaneity and natality, and who, unlike the Jewish Councils, did not have the possibility of “doing nothing,” and thus, (according to Arendt), cannot be judged.

In her explicit reply to Scholem’s charge that she was judging the Councils, and that she was doing so even though she had no right to, since she “was not there,” Arendt not only confirms that she is in fact leveling a judgment against the Councils, but also that she considered such judgment to be both possible and necessary, “[A]lthough you may be right, that it is too early for a “balanced judgment” (though I doubt this), I do believe that we shall only come to terms with this past if we begin to judge and to be frank about it.” It thus becomes clear not only that the “limited freedom” that Arendt claims the Councils maintained makes their actions open to judgment, but also that it is only by judging them that we are able to understand this complex and difficult aspect of

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\textsuperscript{633} \textit{EJ}, 91.
\textsuperscript{634} Ibid., 109.

the Holocaust. Because this later consideration bears particularly on the issue of reconciliation, I will return to it in my final sections.

Arendt was in fact so taken aback by the charges that she was judging a situation and people that she had no right to judge, that she contemplated the nature, the possibility, and the necessity of judgment for the remainder of her life. In the immediate aftermath of the controversy caused by her report, she concluded that the reason that her judgments of those who lived and worked in the context of systemic evil, here presumably speaking directly about the Councils, were so contested, was that there exists in society a “widespread fear of judgment.”

This fear implies that, by judging the actions of others who lived and acted in a situation that we ourselves did not experience, we are implying arrogance, or insinuating that we ourselves would have acted better in the same situation. In other words, “Who am I to judge? Actually means we’re all equally alike, equally bad, and those who try, or pretend that they try, to remain halfway decent are either saints or hypocrites, and in either case should leave us alone.” That Arendt did not intend for her judgment of the Councils to imply such arrogance is, however, clear from her statement that neither she, nor anyone else, would have fared any better, or risen to the very high standards of her judgments (particularly of the Councils), “whoever has ever maintained that by judging a wrong I presuppose that I myself would be incapable of committing it?”

Arendt was also clear in her reply to Scholem that she did not believe that any kind of communal loyalty or belonging precluded the possibility and the necessity of

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636 Ibid.
637 Ibid.
judgment. Thus, while Scholem accused Arendt of lacking “Ahavath Israel,” or “love of the Jewish people” for speaking of them in this condemnatory way, she maintained that her perspectives were not colored by such love or belonging (something we have already seen in her self-identification as a pariah and independent thinker),

You are quite right- I am not moved by any “love” of this sort, and for two reasons: I have never loved any people or collective- neither the German people, nor the French, nor the American, nor the working class or anything of that sort. I indeed love “only” my friends and the only kind of love I know of and believe in is the love of persons. Secondly, this “love of the Jews” would appear to me, since I am myself Jewish, as something rather suspect. I cannot love myself or anything which I know is part and parcel of myself.\footnote{638 Arendt to Scholem, “Eichmann in Jerusalem,” 54.}

It is in fact Scholem’s failure to understand and recognize Arendt’s judgments as independent, and not conditioned by communal love and belonging, that she claims accounts for his misunderstanding of them,

What confuses you is that my arguments and my approach are different from what you are used to; in other words, the trouble is that I am independent. By this I mean, on the one hand, that I do not belong to any organization and always speak only for myself, and on the other hand, that I have great confidence in Lessing’s \textit{selbstdenken} for which, I think, no ideology, no public opinion, and no “convictions” can ever be a substitute. Whatever objections you have to the results, you won't understand them unless you realize that they are really my own and nobody else’s.\footnote{639 Ibid., 55.}

Arendt continued to think through the issues associated with judgment for the remainder of her life, which ultimately culminated in the theory of judgment she was working on at the time of her death. In many ways, therefore, this theory can be seen as an implicit response to the charge that she was judging the Councils where she had no right to judge them. What this theory makes clear, perhaps above all else, is that judgment meant something very particular to Arendt, which was in fact quite distinct
from what her critics implied in discussing judgment. For this reason, in order to properly assess Arendt’s judgment of the Jewish Councils, I will consider it in light not (or not only) of her critics, but also in light of her own theory of judgment.

In a way, because Arendt began to develop this theory (and in fact never completed it) many years after she penned her representation and judgment of the Councils, such an assessment may seem unfair. In another way, however, this kind of an analysis offers a new and enlightening perspective of this representation, by submitting it to Arendt’s own criteria and theory, or, to her own standards for judgment. In other words, although I have demonstrated that Arendt’s representation of the Councils, in light of her critics’ considerations, is found severely lacking, it remains to be seen how it “holds up” to the standards for judgment that she herself began to formulate near the end of her life. In order to determine this, I will present Arendt’s theory of judgment, consider how that theory was shaped and influenced by her confrontation with systemic evil, and finally assess her representation of the Councils in light of this theory.

Arendt’s Theory of Judgment

Arendt did not turn her attention explicitly towards articulating a theory of judgment until late in her life. This theory was to be the final part of the three-part volume, *The Life of The Mind*, to accompany the first two parts: “Thinking” and “Willing.” However, at the time of her death, all that Arendt had completed of this part was a title page with the heading “Judging” and two epigraphs.640 We are therefore left with a very incomplete picture of what this theory would have looked like.

Nevertheless, we do have at our disposal some very important resources for speculating about this theory. Among these are Arendt’s earlier writings that touch, in one way or another, on the theme of judgment. Particularly central here are the essays “The Crisis in Culture: Its Social and Political Significance,” (1961), “Personal Responsibility Under Dictatorship” (1964), “Truth and Politics” (1967), “Thinking and Moral Considerations” (1971); the postscript added to the second edition of EJ (1964), and, of course, the first two parts that were to accompany “Judging” in LM, “Thinking” and “Willing.”

In addition to these resources we also have the works of prominent Arendt scholars who have attempted to reconstruct Arendt’s theory of judgment based on these published writings, as well as some of her previously unpublished works. Foremost among these is Ronald Beiner’s edited volume Hannah Arendt: Lectures on Kant’s Political Philosophy (hereafter LK). In these previously unpublished lectures Arendt delivered at the New School for Social Research in the fall of 1970, we get her most explicit presentation of the Kantian foundation for her own theory of judgment, as well as some explicit clues about how it informed her own theory.641 Beiner’s “Interpretive Essay” on these lectures, as well as the many essays published in Beiner and Jennifer Nedelsky’s edited volume Judgment, Imagination, Politics: Themes from Kant and Arendt (hereafter JIP), also provide indispensable and promising resources in our attempt to reconstruct and understand Arendt’s unfinished theory of judgment.

The foundation of Arendt’s theory of judgment is Kant’s theory of aesthetic judgment in Critique of Judgment. Here, Kant is concerned with the aesthetic judgment

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of the particular, for example, whether a particular rose or a particular painting is beautiful. In judging the particular in this way, Kant distinguishes between two approaches to judging, or two “types” of judgment. According to the first, which he called “determinant,” the universal standard is available and the particular is subsumed under it. Thus, the particular rose or painting is judged to be beautiful because it conforms to this general standard. According to the second, which he called “reflexive,” the universal standard is lacking and must be informed and produced in and through judgment of the particular object.642

Judging a particular rose or painting as beautiful is therefore not the result of subsuming it under the general standard of beauty, but instead of experiencing and judging the particular rose as beautiful and allowing that judgment to inform the standard of beauty itself. Thus, it is only in and through judging the particular that we can come to any conclusions regarding the judgment of roses or paintings in general, as opposed to the other way around.643

In order for judgment of the particular to be able to inform the general standard, Kant insists that certain conditions must be met. The most important of these is the autonomous and the disinterested nature of aesthetic judgment. These conditions are met first and foremost by the fact that it is the individual who pronounces judgment, and that this individual is disinterested. This disinterestedness is established primarily in the position of the individual vis-à-vis the particular object that they are judging. For Kant, it is imperative that this position be that of a spectator. In other words, it is not the artist

who judges their own painting, nor the actor in a play who judges their performance. In each case, their judgment would be influenced by a variety of subjective factors, as well as their limited view of the whole (play or work of art), in favor of their own experience and contribution to it. It is therefore only the spectator, the onlooker, who is able to judge disinterestedly, and thus pronounce autonomous judgments.

First, there was the position of the onlooker. What he [Kant] saw counted most; he could discover a meaning in the course taken by events, a meaning that the actors ignored; and the existential ground for his insight was his disinterestedness, his nonparticipation, his noninvolvement… [The notion that] only the spectator but never the actor knows what it is all about- is as old as the hills; it is, in fact, among the oldest, most decisive, notions of philosophy…The data underlying this estimate are, first, that only the spectator occupies a position that enables him to see the whole; the actor, because he is part of the play, must enact his part- he is partial by definition. The spectator is impartial by definition- no part assigned to him. Hence, withdrawal from direct involvement to a standpoint outside the game is a condition sine qua non of all judgment. Second, what the actor is concerned with is doxa, fame- that is, the opinion of others (the word doxa means both “fame” and “opinion”). Fame comes about through the opinions of others. For the actor, the decisive question is thus how he appears to others (dokei hois allois); the actor is dependent on the opinion of the spectator; he is not autonomous (in Kant’s language); he does not conduct himself according to an innate voice of reason but in accordance with what spectators would expect of him. The standard is the spectator. And this standard is autonomous.  

At this point, it may seem that regardless of the fact that aesthetic judgment is pronounced by the disinterested spectator, both the autonomy and the disinterestedness of the judgment of the spectator is limited by their own subjectivity, and also by the prejudices that are invariably connected with their own perspective. This concern is mediated by Kant in his insistence that, although autonomous and disinterested, aesthetic judgment is ultimately an “inherently social” activity.  

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644 Arendt, LK, 54-5.
The social aspect of aesthetic judgment entails that in order to judge the particular, the spectator must use their imagination to consider the judgment of others. This imaginative exercise the “enlarged mentality.” In exercising this capacity, the aim is not to experience empathy with the perspectives of others, nor to replace the particular prejudices attached to the spectator’s perspective with those of others, but instead to overcome the subjectivity that is inevitably attached with the position of the spectator by considering as many other standpoints as possible. In this way, the spectator is able to transcend the limitations that are invariably connected with their own perspective, and to claim a universal validity for their judgment of the particular. The more standpoints they consider, the more valid their autonomous and disinterested judgment will be.646

To accept what goes on in the minds of those whose “standpoint” (actually the place where they stand, the conditions they are subject to, which always differ from one individual to the next, from one class or group as compared to another) is not my own would mean no more than passively to accept their thought, that is, to exchange their prejudices for the prejudices proper to my own station. “Enlarged thought” is the result of first “abstracting from the limitations which contingently attach to our own judgment,” of disregarding its “subjective private conditions..., by which so many are limited,” that is, disregarding what we usually call self-interest, which according to Kant, is not enlightened but is in fact limiting. The greater the reach— the larger the realm in which the enlightened individual is able to move from standpoint to standpoint— the more “general” will be their thinking.647

The fact that the spectator is able to imagine the perspectives of others in this way is due to the fact that they share a “common sense” with all of those whose standpoints they consider. For Kant, the ground of this common sense is the cognitive faculties,

646 Arendt, ZK, 43.
647 Ibid., 43-4.
which we all share and which are universal. Thus, although we all experience the world differently, we all understand and interpret that experience in the same, universal way.\textsuperscript{648}

Common sense— which the French suggestively called the “good sense,” \textit{le bon sens}—discloses to us the nature of the world insofar as it is a common world; we owe to it the fact that our strictly private and subjective five senses and their sensory data can adjust themselves to a nonsubjective and “objective” world which we have in common with others. Judging is one, if not the most important activity in which this sharing-the-world-with-others comes to pass.\textsuperscript{649}

Ultimately, therefore, judgments of the particular (rose or painting) are able to gain universal validity and therefore inform the standard of judgment itself not only because they are autonomous and disinterested, but also because, having been founded on a consideration of the standpoints of many others, these judgments will be able to “woo their consent.”\textsuperscript{650}

Political thought is representative. I form an opinion by considering a given issue from different viewpoints, by making present to my mind the standpoints of those who are absent; that is, I represent them. This process of representation does not blindly adopt the actual views of those who stand somewhere else, and hence look upon the world from a different perspective; this is a question neither of empathy, as though I tried to be or to feel like somebody else, nor of counting noses and joining a majority but of being and thinking in my own identity where actually I am not. The more people’s standpoints I have present in my mind while I am pondering a given issue, and the better I can imagine how I would feel and think if I were in their place, the stronger will be my capacity for representative thinking and the more valid my final conclusions, my opinion. (It is this capacity for “enlarged mentality” that enables men to judge; as such, it was discovered by Kant in the first part of his Critique of Judgment, though he did not recognize the political and moral implications of this discovery). The very process of opinion formation is determined by those in whose places somebody thinks and uses his mind, and the only condition for this exertion of the imagination is disinterestedness, the liberation from one’s own private interests. Hence, even if I


\textsuperscript{650} Ibid., 21.
shun all company or am completely isolated while forming an opinion, I am not simply together only with myself in the solitude of philosophical thought; I remain in this world of universal interdependence, where I can make myself the representative of everybody else.\textsuperscript{651}

Once the judgment of the particular (rose or painting) is validated in this way, it is endowed with “exemplary validity,” thus helping to illuminate not only the particular rose that is being judged, but all roses, and, in fact, the category of beauty itself (as opposed to subsuming the particular under this category, which does nothing to inform either the particular or the category). In other words, “By attending to the particular qua particular, in the form of an “example,” the judging spectator is able to illuminate the universal without thereby reducing the particular to universals. The example is able to take on universal meaning while retaining its particularity, which is not the case when the particular serves merely to indicate a historical “trend.”\textsuperscript{652}

Arendt uses Kant’s theory of aesthetic judgments as the basis for her own theory of judgment. However, as will be clear from my project thus far, she is not primarily interested in the field of aesthetics, but instead in moral judgments. Thus, she is concerned with how we tell right from wrong, rather than beautiful from ugly. This has caused some commentators to argue that her appropriation of Kant is incomplete\textsuperscript{653} or

\textsuperscript{652} Beiner, “Interpretive Essay,” 127.
\textsuperscript{653} Beiner suggests that Arendt chooses to focus on and interpret texts of Kant’s (including and in addition to the \textit{Critique of Judgment}) in light not of his concern to locate the source of human dignity in private rationality and morality, but in light of her concern to locate that source in our experience in the public realm. Thus, although Beiner ultimately sympathizes with Arendt’s theory of judgment, he sees her appropriation of Kant as “limited and one-sided.” “Rereading Hannah Arendt’s Kant’s Lectures,” in \textit{JIP}, 100.
unfounded, and results in limitations in her own theory of judgment. Nevertheless, Arendt’s reliance on Kant makes sense in light of her project. Like Kant, she is concerned to produce a theory of judgment that will allow individuals to respond to circumstances for which no general standards or rules exist. For her, this is primarily the unprecedented occurrence of totalitarianism and the new crime and criminal it has introduced, both of which have shattered the rules, conventions, and standards according to which we previously understood morality and judgment.

Not surprisingly, then, Arendt’s theory of judgment has several affinities with Kant’s. Perhaps the most important of these is its autonomous and disinterested nature. Like Kant’s aesthetic judge, the moral judge is an autonomous individual who aims to arrive at disinterested judgments. In other words, they must be able to transcend the limitations and subjective factors that are inevitably connected with their own subjective position. In considering how these limitations are overcome in Arendt’s writings, and who the judging subject is that is seeking to overcome them, Beiner argues that a shift occurs from Arendt’s earlier (prior to 1971) to her later writings (after 1971). In general, this shift corresponds with the shift that occurs in Arendt’s focus on the vita activa in her earlier writings, to the vita contempliva, or the life of the mind, in her later writings.

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654 For example, George Kateb argues that in subsuming political and moral judgment under the Kantian framework of aesthetic judgment, Arendt’s theory of judgment involves a “subordination of morality,” as it leads to an aestheticized understanding of politics wherein “politics for the sake of politics - politics purified, to a certain extent, from moral anxiety as well as moral goals, just as other aesthetic phenomena are held ideally to be.” Thus, Arendt’s theory of judgment neglects the moral concerns that need to be central to political judgments. “The Judgment of Arendt,” in *JIP*, 121-138.
In her earlier writings, particularly *HC*, Arendt is concerned with the judgment of the political actor. In this context, the disinterested nature of judgment is ensured in and through the participation of the actor in the public realm. This realm makes available to the actor a plurality of opinions and perspectives. The actor therefore does not need to imagine these perspectives in order to exercise his “enlarged mentality” because they are openly shared in the public realm though speech (which, as we have seen, discloses who the actor is rather than what he is). Based on this authentic disclosing of perspectives, the actor is able to judge their actions in and through a consideration of the plurality of perspectives that make up the public realm. In this way, they may overcome the limitations of their own perspective, and arrive at disinterested judgments of their actions. In this initial phase of her theory of judgment, Arendt therefore focuses on political actors who are judging in order to act, and who reach these judgments in and through the practical sharing of opinions and perspectives in the public realm.

In the later phase, where Arendt’s focus shifts to the *vita contempliva* or the life of the mind, judgment is no longer the prerogative of the actor in the public realm, but instead of the retrospective spectator. Unlike the judgment of the political actor, which allows them to judge their actions disinterestedly, the judgment of the *vita contempliva* allows the spectator to “cull meaning from the past,”655 to interpret past events and actions in light of a view of the whole, which is only available after the fact, and to one who is disinterested (i.e., the spectator). Unlike the political actor, who is judging in order to act, the retrospective spectator is therefore judging in order to infer meaning on past events and actions.

655 Seyla Benhabib, “Judgment and Politics in Arendt’s Thought,” in *JIP*, 185.
When judgment becomes the prerogative of the spectator, the “enlarged mentality” becomes a contemplative rather than a practical exercise. Rather than practically accessing the perspectives of those with whom they share the public realm, the spectator requires imagination in order to exercise their “enlarged mentality,” and consider the perspectives of others. In other words, the spectator imagines the standpoints of others, and asks how they would judge in their situation (again, this is not empathy or a replacement of one’s prejudices with another’s, but an authentic consideration of others’ perspectives). As in Kant, the more perspectives the spectator considers, the more disinterested their judgments will be.656

Unlike Kant, however, and this may be a remnant of Arendt’s earlier concern with judgment as located in the public realm, even the judgment of the disinterested spectator cannot claim universal validity. This is because Arendt does not locate the ground and source of “common sense” (which makes it possible for us to imagine the standpoints of others) in our shared and universal cognitive faculties (as Kant does), but instead in our membership within actual communities. It is therefore only the perspectives of those with whom one exists in actual community that they are able to consider when arriving at their judgments. The judgments of the spectator are therefore only valid within the particular

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656 This aspect of Arendt’s theory of judgment raises some important questions and potential limitations: “Perhaps the most central is how exactly the enlarged mentality is to work. If we understand human beings as in significant part constituted by their context, by their social location, how is it possible to put oneself in the position of another? Arendt is clear that the project is not simply to take on the (possibly quite partial) judgment of another, but to judge as oneself, but from the standpoint of another. How are we to understand this and what are its limitations? Arendt is explicit that it is not empathy she is talking about. But is it clear that the enlarged mentality does not require empathy at some stage? Ronald Beiner and Jennifer Nedelsky, “Introduction,” in JIP, xii.
community that they belong to, and whose perspectives they are able to consider when arriving at their judgments. \(^{657}\)

Judgment is endowed with a certain validity but is never universally valid. Its claims to validity can never be extended further than the others in whose place the judging person has put himself for his considerations. Judgment, Kant says, is valid “for every single judging person,” but the emphasis in the sentence is on “judging”; it is not valid for those who do not judge or for those who are not members of the public realm where the objects of judgments appear. \(^{658}\)

Judging in/and systemic evil

This shift in emphasis in judging, from the political actor to the spectator, is, I claim, to be located squarely within Arendt’s engagement with the Holocaust as a form of systemic evil. I therefore argue that, contrary to belonging exclusively to the first phase of her theory of judgment, where she is concerned with the judgment of political actors, writings such as *OT* (1951), *EJ* (1961), and “Personal Responsibility Under Dictatorship” (1964), in fact demonstrate the breakdown of this earlier approach to judgment, and the beginnings of Arendt’s later concern with judgment (of retrospective spectators), as a contemplative rather than practical exercise.

\(^{657}\) Limiting the “enlarged mentality” and validity of judgments to actual community also raises some important questions and potential limitations of Arendt’s theory of judgment, for example, “how it is possible to judge in opposition to one’s community or to try to change the common sense, as one might argue the women’s movement has done. When nations seem to be comprised of more than one community, which is relevant to which judgment? When the constitution of political community is understood as a political project rather than a presupposition, we can ask what it takes to constitute a shared common sense sufficient to justify judicial review and its capacity to regulate diverse communities (such as indigenous peoples) according to a central judiciary’s understanding of core national values.” Beiner and Nedelsky, “Introduction,” *JIP*, xiii. For some considerations and responses to these questions see Jennifer Nedelsky’s essay, “Judgment, Diversity, and Relational Autonomy,” in *JIP*, 103-120, and Leora Y. Bilsky, “When Actor and Spectator Meet in the Courtroom: Reflections on Hannah Arendt’s Concept of Judgment,” in *JIP*, 257-286.

\(^{658}\) Arendt, “The Crisis in Culture,” in *JIP*, 20.
While this argument confirms Beiner’s identification of a shift in Arendt’s thinking about judging (from the political actor to the disinterested spectator), it challenges the “neat” division of her work into these phases. In fact, this division is something he himself problematizes, since he is,

[A]ware that there are certain problems involved in dividing her works into “early” and “late.” It would be unreasonable to expect any neat division into distinct periods, and to single out a particular date as marking a clear break between “early” and “late” will obviously appear in some respects arbitrary; one should not be surprised to encounter an overlap, both conceptual and chronological, between the “two phases.”

We begin to see the breakdown of the former approach to judgment, where it is a practical exercise by political actors, in *OT*. Here, we learn that the public realm, through which political actors practically access the various standpoints of others in order to judge their actions, is destructible. Either due to terror, which makes the public sharing of these perspectives impossible; or ideology, which subsumes all perspectives under the dominant ideology of the regime, the actor is left without their primary resource for judging their actions: the perspectives of others (as well as a public realm within which to act at all).

In *EJ* and writings immediately following, particularly “Personal Responsibility Under Dictatorship,” we therefore begin to see a shift away from the practical judgment of political actors (which is situated in the public realm), towards an understanding of judgment as a contemplative activity. In these works, Arendt remains interested in the judgment of political actors, and so the judging subject has not changed. What has changed is the way that the judging subject overcomes their subjective perspective in

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659 Beiner, “Interpretive Essay,” 92
order to arrive at disinterested and autonomous judgments. Because they live in the midst of totalitarian domination where the public realm is destroyed, and they no longer have access to a plurality of perspectives, the judgment of the political actor becomes contemplative rather than practical. The contemplative nature of judgment, which in Arendt’s later writings is the prerogative of the spectator, therefore begins to emerge in her attempt to salvage the possibility of judgment for political actors within the unprecedented circumstances of totalitarian rule.

Arendt’s representation of Eichmann presents us with an example of this. In my previous chapter, I argued that I do not believe that Eichmann’s public realm was effectively destroyed. He therefore did have other perspectives available to him that he could have considered and that would have been in opposition to the dominant perspective of the regime, (especially Probst Grüber’s). However, because he lived and worked in a context of terror, the public sharing of these perspectives was necessarily limited, and so he did not have direct access to these perspectives through an open exchange in the public realm. Instead, in order to access them, he would have had to think them. In other words, in order to exercise his “enlarged mentality” he would have had to imagine the standpoints of others, not only his peers and superiors, but also those with whom he lived and worked (not only Probst Grüber but also the Jews he had contact with).

Eichmann’s failure to do this is part of what leads Arendt to conclude that he did not judge his actions appropriately. In fact, she even identifies his “almost total inability to ever look at anything from the other fellow’s point of view” as his “more decisive flaw” (more decisive than bragging, anyway), and insists, that his “inability to speak” (as
we have seen, without relying on clichés and “winged words,”) “was closely connected with his inability to think, namely, to think from the standpoint of somebody else.”

A potential complication arises here, however, if we consider Arendt’s claim that “enlarged mentality” entails the consideration only of the standpoints of those with whom one exists in actual community. For this reason, we might conclude that, even if Eichmann had imagined other perspectives, they would have been limited to those of his immediate peers and superiors, and would not have offered him any alternative perspectives against which to judge his actions. In a way, since “enlarged mentality” is a concept that Arendt only considers years after EJ, in discussing the judgment of the retrospective spectator rather than the political actor, applying it to this earlier text and example is bound to produce such limitations. In another way, however, I believe that Arendt offers us a way out of this limitation, by insisting that even in situations of “moral collapse,” independent and spontaneous judgment remains possible for the political actor.

It is in these situations that the political actor is truly left without any external resources or perspectives (whether imagined or practical) against which to judge their actions. This is because moral collapse, as we have seen before, is a context in which everyone has abandoned their traditional moral frameworks, conventions, and standards of judgment, and replaced these with the frameworks, conventions, and standards of the regime. Thus, although they are not aligned with the regime ideologically (which is Arendt’s argument in OT), they are also not judging their actions independently from the dominant (totalitarian) framework of society (in my previous chapter, I argued that this can be considered a reflection of their own thoughtlessness). Considering their

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660 EJ, 47-8, 49.
perspectives, either practically or imaginatively, would therefore not offer the actor any alternative views against which to judge their actions.

Left without the possibility of exercising their “enlarged mentality” either practically or imaginatively, the political actor is faced with a serious question, in fact, this is the first (of two) question(s)\textsuperscript{661} that Arendt claimed presented itself to her (as a retrospective judge) when confronted with Eichmann: “how can I tell right from wrong, if the majority or the whole of my environment has prejudged the issue?”\textsuperscript{662} In other words, is there “an independent human faculty, unsupported by law and public opinion, that judges anew in full spontaneity every deed and intent whatever the occasion arises?”\textsuperscript{663} Providing a negative answer to this question would entail that the political actor has no possibility for independent judgment in contexts of moral collapse. Not surprisingly, then, Arendt provides an affirmative answer to this question.

She does this by insisting that, although the political actor no longer has access to a plurality of perspectives (either practically or imaginatively), they remain capable of exercising their own internal plurality by accessing their internal two-in-one thinking partner. In doing so, they become capable not only of critiquing the rules and conventions of their society, which have been accepted by the masses, but also of limiting their actions, in and through the establishment of conscience, which ensures that any actions they take must contribute to the internal harmony of the two (in-one) thinking partners. Thus, even in a context where all of society has adopted the same (dominant) perspective,

\textsuperscript{661} The other, which pertains to the capacity of the retrospective judge to judge the unprecedented, will be examined later in this section.
\textsuperscript{662} “Personal Responsibility Under Dictatorship”, 18
\textsuperscript{663} Ibid., 41.
the thinking person remains capable of judging their actions from an alternative
perspective: their own.

At this point we begin to see a divergence between Arendt’s earlier concern with
the judgment of political actors and her representation of political actors in the
unprecedented context of totalitarianism. Unlike the practical “enlarged mentality,” in the
public realm, which allows the actor to judge in order to act, judgments reached in and
through a “consultation” with their thinking partner cannot inform their action in a
decisive way. It therefore becomes clear that even though the judgment of political actors
becomes contemplative rather than practical in the unprecedented context of
totalitarianism, they are no longer judging in order to act (as they were when the public
realm remained intact), but instead, judging in order to limit their actions in light of the
establishment of their conscience.664

Within the unprecedented context of totalitarian domination, and especially moral
collapse, thinking therefore becomes the key for unlocking the independent and
spontaneous judgments of political actors. Thus, thinking becomes the prerequisite for
judging spontaneously, and therefore resisting compliance with systemic evil,

Thinking deals with invisibles, with representations of things that are absent;
judging always deals with things that are close at hand. But the two are
interrelated in a way similar to the way consciousness and conscience are
interconnected. If thinking, the two-in-one soundless dialogue, actualizes the
difference within our identify as given in consciousness, and thereby results in
conscience as its by-product, then judging, the by-product of the liberating effect
of thinking, realizes thinking by materializing it in the world of appearances,
where I am never alone and always too busy to be able to think. The manifestation
of the wind of thought is not knowledge; it is the ability to tell right from wrong,

664 The important distinction that Arendt affirms between thinking and acting is
therefore maintained, even though, as Villa tells us, many commentators have argued that
Arendt’s theory of judging bridges this gap. Politics, Philosophy, Terror, 87
beautiful from ugly. And this indeed may prevent catastrophes, at least for myself, in the rare moments when the chips are down.\textsuperscript{665}

By reconsidering the nature of the judgment of political actors living under totalitarian domination as contemplative rather than practical, Arendt is able to maintain the capacity of each and every individual, no matter how extreme and unprecedented their circumstances, to judge anew and spontaneously \textit{in the midst of} every situation, as it arises. She therefore affirms that there does, in fact, exist, “an independent human faculty, unsupported by law and public opinion, that judges anew in full spontaneity every deed and intent whatever the occasion arises,” and that this faculty, judgment, under the unprecedented circumstances of totalitarian rule, requires one to think (rather than to practically or imaginatively access others’ perspectives) in order to exercise it.

Simply affirming the existence of this faculty does not, however, presume that it is always, or even often, exercised. We have already seen that even though all human beings are capable of thinking, very few of them exercise this capacity to its fullest extent. It therefore stands to reason that many, or most, will also fail to judge spontaneously in light of unprecedented circumstances. It is therefore those rare cases in which people do succeed in judging independently, and thus resisting systemic evil, that Arendt ascribes “exemplary validity” to, and even identifies as “miracles.” Thus, she claims, “To be sure, those who resisted were a minority, a tiny minority, but under the circumstances “the miracle was,” as one of them pointed out [speaking here of the witnesses at Eichmann’s trial] “that this minority existed.”\textsuperscript{666}

\textsuperscript{665} Arendt, “Thinking and Moral Considerations,” 189.
\textsuperscript{666} \textit{EJ}, 122-3.
We see this particularly in Arendt’s description of the actions of Anton Schmidt, a German soldier who supplied Jewish partisan workers with forged identity papers and military trucks from October to March of 1941-2. Schmidt was arrested and executed for his efforts. In describing the reaction of the courtroom when this story was told, Arendt indicates,

[A] hush settled over the courtroom; it was as though the crowd had spontaneously decided to observe the usual two minutes of silence in honor of the man named Anton Schmidt. And in those two minutes, which were like a sudden burst of light in an unfathomable darkness, a single thought stood out clearly, irrefutably, beyond question—how utterly different everything would be today in this courtroom and perhaps in all countries in the world, if only more such stories could have been told.667

In ascribing these rare cases where political actors did succeed in resisting evil and judging their actions spontaneously (which would have required thinking—a contemplative rather than practical exercise), with “exemplary validity” Arendt is claiming that they are the ideal towards which we should strive,

For the lesson of such stories is simple and within everyone’s grasp. Politically speaking, it is that under conditions of terror most people will comply but some people will not, just as the lesson of the countries to which the Final Solution was proposed is that “it could happen” in most places but it did not happen anywhere. Humanly speaking, no more is required, and no more can reasonably be asked, for this planet to remain a place for human habitation.668

In addition to demonstrating the breakdown of Arendt’s former concern with the practical judgment of political actors, Arendt’s engagements with systemic evil also provide us with early examples of her own retrospective judgment as a spectator. That Arendt occupied this position vis-à-vis Eichmann, the Councils, and in fact virtually every aspect of this context, is apparent. Although she was personally invested in this

667 Ibid., 231.
668 Ibid., 233.
context, she did not directly experience totalitarian rule, since she left Germany in 1933, and Europe (from Paris) in 1941. Her experience of totalitarian rule was therefore limited, and she never encountered either Eichmann or the Jewish Councils during the war. Her writings on this time and context come to us from decades later, and therefore consist of retrospective descriptions and judgments of them.

As a retrospective spectator, Arendt (as indicated in my preliminary chapter), understood her engagement with systemic evil and totalitarianism in light of her ultimate goal: understanding. She thus sought, in her representations, descriptions, and judgments of this context and those who lived and worked in its midst, to “cull meaning from the past,” to make this seemingly incomprehensible and intellectually devastating aspect of our history comprehensible. In order to reach such understanding as a retrospective judge, Arendt was confronted with a second question, (in addition to whether political actors can judge spontaneously in the midst of the unprecedented context of totalitarianism), which we have already seen put forth by Scholem in his critique of Arendt’s representation of the Councils, “to what extent, if at all, can we judge past events or occurrences at which we were not present?”

This question becomes even more pronounced if we consider Arendt’s insistence that the totalitarian context that she was judging was, in her own estimation, unprecedented. She was therefore left without any traditional resources or frameworks, either moral (which were revealed to be nothing more than habits and mores under totalitarianism), legal (which were confounded by Eichmann and his crimes), philosophical (particularly conceptions of evil, which were confounded by both radical

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evil and banal evil), or historical (as placing Eichmann’s crimes within frameworks such as the long history of antisemitism only distorts them), to appeal to in arriving at her judgments of a context and people that she herself did not experience.

Despite these seeming lacunae, it should be clear from my project thus far that Arendt maintained that such judgment remained possible and necessary. This is apparent not only in her defense of her judgment of the Councils’ to Scholem, but also in her own judgment of Eichmann. In fact, she not only insisted that such retrospective judgment was always possible, but that it was widespread, and that without it,

[I]t seems glaringly obvious that no historiography and no courtroom procedure would be possible. One might go a step further and maintain that there are very few instances in which we do not judge by hindsight, and again this is equally true of the historiographer as it is of the trial judge, who may have good reasons to mistrust eyewitness accounts or the judgments of those who were present.670

What remains to be seen, however, and what I will consider in my following section, is whether the retrospective judgments that she pronounced on those who lived and worked in this context, particularly the Jewish Councils, is in fact, according to her own criteria, disinterested.

Judging the Jewish Councils

In order to assess Arendt’s judgment of the Jewish Councils in light of the standards put forth by her own theory of judgment, we need to consider both the judgments of the Council members as political actors living and working in the midst of totalitarian rule, as well as Arendt’s retrospective judgments of them. In order to address the former, I will ask whether the Council members judged their actions by considering

670 Ibid., 19.
the perspectives of their community members, either practically or imaginatively, or by exercising their thinking capacity. In order to address the latter, I will ask whether Arendt’s retrospective judgment of the Councils is in fact the product of her own exercise of enlarged mentality, and her careful consideration of the perspectives of those with whom she existed in actual community.

Based on my summary of the high degree of communal opposition that faced the Councils from the time of their formation, it would seem that despite the fact that they lived and worked in the context of totalitarian domination, their public realm was not in fact completely destroyed, and they maintained practical access to the perspectives of their community members. In order to judge their actions appropriately, according to Arendt’s theory, they would therefore have had to consider these perspectives in assessing their actions. As is perhaps readily clear in my summary of the Councils, a detailed analysis reveals that the Council did in fact carefully consider these perspectives in arriving at judgments of their actions.

This is particularly apparent from Hillesum’s diary, where she describes her resolve to constantly hear these perspectives, and the degree to which these perspectives affected her life and decisions, even, in the end, having adverse effects on her health.

Many people are still hieroglyphics to me, but gradually I am learning to decipher them. It is the best I can do: to read life from people… I talk to a great deal of people, more than ever of late. I still speak much less expressively and clearly than I can write. Sometimes I feel that I shouldn’t dissipate my strength on the written word, that I should withdraw and go on my own quiet, searching way on paper. A part of me wants to do just that. But another part of me wavers and loses itself in words among people ….My heart is a floodgate for a never-ending tide of misery. ..The doctor is of course wrong… ‘You live too cerebral a life. You don't let yourself go enough. You ignore the basic rules of life.’… ‘You don't live in the real world.’ And I thought to myself, ‘He really doesn't make sense.’ The real world! All over the real world men and women are being kept apart. The men at
the front. In camps. In prisons. Men and women separated from one another. That is the real world.\footnote{An Interrupted Life: The Diary of Etty Hillesum, Sept. 21, 1942, 176-177.}

It therefore seems that the Council members did have practical access to the perspectives of their communities, and that they considered these perspectives in arriving at judgments of their actions.

The fact that the Council members maintained practical access to the perspectives of their community members implies that their public realm was not in fact completely destroyed. In addition, they did not live and work in a context of moral collapse, where their community members had abandoned their conventional frameworks and standards and replaced them with those of the regime. In fact, to insinuate such a thing among a community of victims is both unfair and unfounded.\footnote{However, Arendt indicates that the Jewish Councils present us with “the most striking insight into the moral collapse the Nazis caused in respectable European society- not only in Germany but in almost all respectable countries- not only in Germany but in almost all countries- not only among the persecutors, but among the victims.” EJ 125-6, I will return to this consideration and what it means for our understanding of “moral collapse” in my final sections.} Nevertheless, the possibility remains that the Council members, because of the terror that characterized daily life in the ghettos, may not always have had direct access to the perspectives of their community members. In these cases, according to Arendt’s theory of judgment, they would have needed to imagine these perspectives in order to exercise their “enlarged mentality” and arrive at disinterested judgments.

That the Council members in fact did imagine the perspectives of their community members, and that these perspectives affected their judgments, is, again, clear not only from my summary of them, but also from their personal testimonies. This is...
evident not only in the primary motivations of the Council members which were a commitment to their communities and a desire to alleviate their sufferings, but also in the many tasks they continually took on to promote the welfare of as many in their communities as possible. We also see this in many entries throughout Czerniakow’s diary, particularly those in which he discusses the plight of the children in the ghetto. Although it is likely that these children did not always seek out Czerniakow in order to inform him of their sufferings, he was continually concerned with them, and this concern not only occupied much of his inner thoughts, but also motivated many of his actions and social reforms in the ghetto, including instituting “children’s month,” an initiative that raised funds to support the children of the ghetto.673

I issued instructions for the children from a precinct detention room, organized by the Order Service, to be brought to the playground. They are living skeletons from the ranks of the street beggars. Some of them came to my office. They talked with me like grown-ups—those eight-year-old citizens. I am ashamed to admit it, but I wept as I have not wept for a long time. I gave chocolate to each of them. They all received soup as well. Damned be those who have enough to eat and drink and forget about these children.674

If it can be demonstrated that the Councils judged their actions in and through a careful consideration of the perspectives of their community members, both practically and imaginatively, how can it stand to reason, as Arendt claims, that they erred in their judgment? One possible explanation for this is to be found in Arendt’s positing of 1941 as the decisive “moment” when the Councils learned of the “final solution.” When

673 Hilberg tells us that for Czerniakow, “The survival of the children was the ultimate test of his efforts in the ghetto. It has been reported that after Czerniakow made the last entry in his diary on July 23, 1942, he left a note to the effect that the SS wanted him to kill the children with his own hands.” Hilberg is here referring to the fact that Czerniakow swallowed a cyanide pill after being asked to draft a list including the children in the orphanage on the transports out of the ghetto to an extermination center. The Warsaw Diary of Adam Czerniakow, 70.
674 Ibid., June 14, 1942, 366.
considered in light of her theory of judgment, it is therefore at this moment that they should have realized that their situation was, in fact, unprecedented, since the intent of the regime was genocidal.

This unprecedented circumstance, and their knowledge of it as such, therefore suggests that it was at this “moment” that the Council members were essentially separated from their communities, both practically and imaginatively. In other words, unlike in situations of moral collapse, in which the political actor no longer has access to the practical or imaginative perspectives of their communities because they have all adopted the frameworks of the regime, for the Councils, it was this knowledge that destroyed the “common sense” that had once united them with their communities, and allowed them access to their perspectives. Because this knowledge was not shared by their communities at large, accessing their perspectives, either practically or imaginatively, would no longer have offered them any alternative perspectives to consider. After this point, the only resource they would have had for arriving at spontaneous judgments of their actions, according to Arendt’s theory of judgment, would have been the exercise of their thinking capacity.

In exercising this capacity, the Council members would have needed to ask themselves, “Can I live with myself if I continue to act in this way.” By addressing this

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675 Although, in her essay “Personal Responsibility Under Dictatorship,” Arendt is not speaking explicitly about the Councils, but instead of the “nonparticipants,” or those who were able to judge their actions spontaneously within the wider context of totalitarian rule, it is possible to find affinities with this point, “Their criterion, I think, was a different one: they asked themselves to what extent they would still be able to live in peace with themselves after having committed certain deeds; and they decided that it would be better to do nothing, not because the world would then be changed for the better, but simply because only on this condition could they go on living with themselves at all.” 44.
question to their internal thinking partner, and thus establishing their conscience, they would not have been thinking in order to act, or in order to judge their actions, but instead, thinking in order to limit their actions. Presumably, for Arendt, the ideal outcome of such a consideration would have been their decision to “doing nothing.” Although I have already demonstrated the limitations this option entails, according to her own theory, it is therefore at this point that “doing nothing,” would have been the only way to exercise spontaneous judgment amidst the unprecedented context they were living and working in, and therefore the only option that would have entailed a spontaneous judgment in the midst of their unprecedented circumstances.

When considered in light of her own theory of judgment, I would therefore argue that Arendt’s representation of the Councils, while still replete with limitations and generalizations, becomes clearer and more accurate. Essentially, her argument can be construed as: once the Jewish Councils learned of the “final solution,” they were denied both practical and imaginative access to the shared perspectives of their community members (since their “common sense” with their communities was destroyed), and therefore, in order to arrive at spontaneous judgments of their actions in the midst of this unprecedented circumstance, they would have needed to access their internal two-in-one thinking capacity. Accessing this capacity would, or should, have limited their actions, and not allowed them to continue in their compliance with Nazi directives. It is therefore their failure to “do nothing” which leads Arendt to conclude that they failed to judge spontaneously or appropriately.

Arendt’s judgment of the Councils is also an early example of her own judgment as a retrospective spectator. In judging the Councils, she is judging a situation that she
did not directly experience, and she is doing so after the fact. In order to assess this judgment according to the criteria of her own theory, what needs to be considered is therefore whether her judgment of the Councils is in fact disinterested, or, whether she arrives at this judgment by exercising her “enlarged mentality.”

It is here that we begin to encounter some (more) serious limitations of Arendt’s judgment of the Councils. The first of these is that it is unclear, in any of her writings, that Arendt in fact considers the perspective of anyone else, other than herself, in arriving at her retrospective judgment of the Councils. I have already indicated that I consider the (perhaps fatal) flaw of Arendt’s representation of the Councils to be that she does not consider their primary motivation in serving (and continuing to serve) in the Councils, which was a commitment to their communities in a time of need and a desperate attempt to alleviate their suffering. Regardless of whether or not this motivation could or should have affected their actions (at least after they learned of the “final solution,”) such a consideration surely should have informed Arendt’s retrospective judgment of the Councils if it was to be disinterested.

Arendt also does not explicitly consider any of the perspectives of those who survived the ghettos, not all of whom had negative things to say about the Councils, nor does she consider the perspectives of any of the witnesses at the trial, the judges, or anyone, in fact, other than herself, in arriving at her judgment of the Councils. This can hardly be considered an example of the “enlarged mentality” that she later claims is central to the disinterested judgment of the retrospective spectator.

Arendt’s failure to consider the perspectives of others, especially the Council members or others within their communities when judging them becomes even more
problematic if we consider the fact that the other retrospective judgment she arrives at in
*EJ*, her judgment of Eichmann, in fact relies on a careful consideration of his
perspective.\(^{676}\) In fact, much of Arendt’s conclusion that the court failed to judge
Eichmann appropriately (although she ultimately agreed with the verdict), is due to their
failure to listen to him, to consider his perspective, and to believe him.\(^{677}\) For this reason,
Leora Bilsky tells us although Arendt urges, [T]he Israeli judges to …try and engage
Eichmann’s viewpoint, to see the world from his perspective in judging him,” she fails to
“practice enlarged mentality in relation to her own spectators, in particular, the Jewish
victims.”\(^{678}\) A similar conclusion is reached by Norman Podhoretz in his early critique of
*EJ*, “In stark contrast to the Jews, whose behavior in Miss Arendt’s version of this story
self-evidently condemns itself, the Nazis- or anyway Adolf Eichmann- need the most
imaginative attention before they can be intelligently judged.”\(^{679}\)

If we take into consideration Arendt’s claim that retrospective judgments occur
only by considering the perspectives of those with whom one exists in actual community,
her consideration of Eichmann’s perspective and not of the perspective of the Council
members and their communities becomes even more problematic. Why, after all, would
she place herself more readily in the actual community of an ex-Nazi than in the actual
community of the Council members and their communities in order to arrive at her

\(^{676}\) That Arendt forms her judgment of Eichmann based on a careful
consideration of his perspective is Barnouw argument in her chapter, “The Obscurity of
Evil: Listening to Eichmann,” in *Visible Spaces*, 177-223.

\(^{677}\) In particular, when he argued that he had not acted “out of base motives and in
full knowledge of the criminal nature of his deeds,” (which was implied by the

\(^{678}\) Leora Bilsky, “When Actor and Spectator Meet in the Courtroom: Reflections
on Hannah Arendt’s Concept of Judgment,” in *JIP*, 272.

\(^{679}\) Norman Podhoretz, “Hannah Arendt on Eichmann- A Study in the Perversity
of Brilliance,” 205.
judgments? This question surely helps to explain the criticism that Arendt in fact sympathized with or defended Eichmann, (although I have argued that this criticism is unfounded), while blaming the Councils for the destruction of their own people, (which, I have argued, Arendt in fact does).

Trying to determine where Arendt might place herself in actual community in order to arrive at her judgment of the Councils becomes even more problematic if we consider her self-identification as a pariah and her insistence that none of her opinions, perspectives, or (presumably) judgments, were influenced by any collective. This raises two important questions: First, are disinterested judgments even possible for Arendt, considering to her own argument that such judgments can only be achieved by considering various perspectives within one’s actual community? Second, if these judgments are ultimately only valid within the community within which one places oneself in arriving at them, are any of Arendt’s judgments valid at all?

Because Arendt not only fails to consider exercise her enlarged mentality in arriving at her judgment of the Jewish Councils, I argue that her judgment of them is discredited and revealed to be unjust because it does not stand up to the criteria of her own theory of judgment. It therefore seems that, while Arendt’s representation of the Jewish Councils suffers from serious limitations, her retrospective judgment of them also fails to live up to the criteria that she herself sets up for judgment, much later in her life. Not only does it fail to exemplify the “enlarged mentality” she considered essential to arriving at disinterested judgments, it also lacks validity, in that it is not reached in and through immersion in any actual community.
Evaluating Arendt’s Representation of the Holocaust: Reconciliation

Unlike Arendt’s representation of Eichmann, which she does not explicitly identify as contributing to her ultimate goal in writing about totalitarianism, understanding, or the “attentive facing up to of reality,” Arendt’s judgment of the Jewish Councils, and her theory of judgment in general, are both intimately and explicitly connected with that goal. In fact, although we have already seen that Scholem, and many others, claim that it is not possible to judge the Councils, Arendt contended that her judgment of them was necessary, as it was only by pronouncing such judgment that we have any hope of “coming to terms” with this aspect of the past, which many have called “unmastered.”

Arendt therefore saw her judgment of the Jewish Councils as an essential step on the way to understanding and reconciliation, and as imperative if we are “to reconcile ourselves to a world in which such things are possible at all.”

Because Arendt understood the Holocaust, or totalitarianism, as unprecedented, and therefore to have established a precedent in the present and future, this understanding and reconciliation was central for her if she was to feel at home in a world where such things had happened, and could happen again. To conclude that the actions of the Councils were in fact beyond the possibility of judgment, as many have claimed, would therefore, according to Arendt, have rendered their actions incomprehensible, and thus threatened our ability to continue to experience the world as a meaningful place that we could continue to orient ourselves in with some confidence. We have already seen how she reaches this conclusion based on her analysis of the concentration camps, which she

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681 “Understanding and Politics,” 308.
claims cannot be judged, and therefore present an uncompromising obstacle to her goal of reconciliation. Beiner expresses this well,

Without judgments by which to render our world intelligible, the space of appearances would simply collapse. The right of judgment is therefore absolute and inalienable, for it is by constantly pronouncing judgments that we are able to make sense of the world and ourselves. If we forfeited our faculty of judgment, through love or diffidence, we would be sure to lose our bearings in the world.682

Despite this intimate connection between judgment and reconciliation in Arendt’s writings, it remains to be seen whether Arendt’s particular judgment of the Jewish Councils fulfills the criteria that I have set up for reconciliation in this project, by identifying the factors that made it possible and actual, as well as the processes, methods, and devices that functioned to implicate people at various levels of society. In order to consider these questions in this context, however, a few concessions need to be made.

First, since this aspect of Arendt’s representation of the Holocaust concerns only a particular group, the Councils, it cannot function to render comprehensible the actions of anyone other than the Council members themselves. In addition, because of the contentious nature of Arendt’s charge that the Councils “cooperated” or became complicit in the policies of the regime, and the importance of maintaining the fact that the Council members were, first and foremost, victims of the Nazi regime, it is not acceptable to ask whether Arendt’s judgment of them functions to identify the processes, methods, and devices that implicated them in the regime, but instead only whether it helps to explain, and thus render comprehensible, their service, actions (including responses to Nazi orders), and decisions as Councils members.

An in depth analysis is not, however, necessary in order to answer these questions. In fact, the limitations of Arendt’s representation and judgment of the Councils, including her failure to consider their personal motivations, their varied and various responses to Nazi directives, as well as their perspectives, or anyone else’s perspective for that matter, in arriving at her judgment of them, all demonstrate that she has not rendered their actions comprehensible at all. It is in fact only by considering these various and varied factors that the actions of the Councils can even begin to become comprehensible.

For this reason, unlike to her representation of totalitarianism as unprecedented and Eichmann’s evil as banal, Arendt’s representation and judgment of the Councils is lacking any description and analysis of the reality of the situation of the Council members that could function to explain or render comprehensible the “cooperation” she charges them with. In fact, because Arendt’s judgment of the Councils not fails to take these complexities into account, but also misrepresents them (as in her claim that the Councils had a central role in the “final solution”) it in fact leads to not to comprehension, but instead to misunderstanding.

Thus, although Arendt does in fact pass judgment on the Councils, and therefore, according to her own criteria, has contributed to reconciliation, she has failed to make this “unmastered” aspect of the past comprehensible. This could only be accomplished by a balanced and in-depth analysis of the complex situation of the Council members, which, as I have already demonstrated, in fact leads many scholars to conclude that their actions cannot ultimately be judged, or perhaps even understood. It therefore seems that, for Arendt, judgment and reconciliation were more important than reasoned analysis, and
that a reasoned analysis of the Councils in fact discounts both her representation and her judgment of the Councils.

Evaluating Arendt’s Representation of the Holocaust: Prevention

In this project, I have argued that Arendt’s theory of judgment represents the culmination of her representation of the Holocaust as a form of systemic evil. We see this representation explicitly beginning in OT, where she focuses on the methods and devices of the totalitarian state; continued in HC, which is an impassioned defense of the plurality, natality, and public realm that totalitarianism aimed to destroy; and in EJ, her analysis of the processes that implicated Eichmann in his particular context. Arendt’s theory of judgment represents the culmination of this engagement because it implies that each and every person has the capacity to resist systemic evil, even while living in its midst. In a way, therefore, it could be argued that prevention of compliance with systemic evil is an implicit goal in Arendt’s theory of judgment. In this section, I will consider whether Arendt’s judgment of the Jewish Councils actually accomplishes this, or, whether it works towards the prevention of future evils by helping us to identify, confront, and prevent compliance with systemic evil, in its initial and later stages, and at the individual and international level.

In addressing these questions, I will begin by stating that, while I have already exposed many limitations of Arendt’s representation and judgment of the Jewish Councils, as revealed not only by her critics but also by assessing it in light of her own theory of judgment, I contend, nevertheless, that this representation and judgment reveals something new and essential about systemic evil. It does this by exposing the ways in
which not only ordinary people (like Eichmann), but everyone within a context of systemic evil, including its victims, becomes enmeshed in the system, and ultimately implicated in its policies and goals. This implication, need not however, necessarily imply “cooperation,” or complicity, or even judgment in the way that Arendt contents. In other words, the importance of these insights is that they teach us more about the nature of systemic evil, rather than lead to judgments of those who live and work within these contexts. In doing so, they reveal new and important insights about systemic evil that can help us resist compliance with it, at least on the individual level.

These insights are first and foremost to be found, I contend, in the new understanding that Arendt’s judgment of the Jewish Councils offers about “moral collapse.” I have previously argued that, within the totalitarian context, moral collapse signified a context in which the masses had abandoned their traditional frameworks, standards, and conventions (religious, political, moral, etc), and adopted those of the regime. In EJ, Arendt indicates that the reason that she has dwelled so much (although, again, this portion of the book is small), on the role of the Jewish Councils is that they offer “the most striking insight into the moral collapse the Nazis caused in respectable European society- not only in Germany but in almost all respectable countries- not only in Germany but in almost all countries- not only among the persecutors, but among the victims.”

What can Arendt have meant by this statement? It cannot, after all, be applied to the Councils, since, as Hilberg argues, they in fact failed to abandon their time honored standards and frameworks (such as appeasement and compliance), in the face of systemic

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683 EJ, 125-6.
evil. Even if they had abandoned these conventions, it cannot be said that they replaced them with the conventions and standards of the Nazi regime. Even Arendt would not argue this later point.

It therefore stands to reason that Arendt’s judgment of the Councils offers something new to the meaning of moral collapse, because, although they did not adopt the conventions of the regime, it is her claim that, by continuing to serve in this capacity after the learned of the “final solution,” they became complicit, or “cooperated” with the regime. The Jewish Councils therefore reveal a new and insidious characteristic of systemic evil, not only that it implicates its victims (although this implication need not imply condemnation or judgment), but that simply by belonging to the system, despite one’s intentions or personal motivations (although as I have demonstrated Arendt fails to take these into account), one becomes implicated in the goals and policies of that system. In other words, there is no way to work within the system, regardless of whether or not one is internally opposed to it, and to not become complicit in its crimes. Participation in the system can therefore not be separated from cooperation with it. Bruno Bettelheim reaches a similar conclusion,

Conversely, there seems little doubt that Jewish leaders who made up lists of those who to be shipped to the gas chambers became accessories to Eichmann’s crimes. Others who made up similar lists, not knowing about the extermination policy and thinking their choices were merely being shipped to the East, acted less reprehensibly. Again others concerned with saving their own lives and those of relatives were ready to sacrifice the lives of others. Finally there were those who gave the SS a helping hand only because they believed that in doing so they reduced hardship; they may merely have been lacking in foresight, in understanding of the situation, in courage. The terrible tragedy was that they, no less than those who collaborated fully with the SS, were helping Eichmann to perpetrate his crimes.684

684 “Eichmann; the System; the Victims,” 28.
This new understanding of moral collapse, where it entails not only the abandonment of conventions and their replacement with those that are dominant in society, but also the implication of everyone, including the victims, in the system itself, suggests that the ultimate message to be gained from Arendt’s representation and judgment of the Councils is in fact about the system itself, rather than about the Councils. Barnouw reaches a similar conclusion,

It was, however, important for Arendt’s argument to point out that the blurred line between guilty victimizer and innocent victim was particularly problematic in the case of the Jewish leaders’ cooperation with the Nazis. Negotiating with a criminal like Eichmann on his never questioned terms reinforced the perverted system itself, which is the real culprit in the Eichmann case. Acting within the system, sacrificing human beings for the sake of the survival of privileged others, these Jewish leaders were in the shadow of that unprecedented total attack on human diversity, plurality, and mutuality for which Eichmann was to hang. Arendt does not say so explicitly; but the implications are clear and they are deeply disturbing—more so than the fact that there will always be selfish, cruel men and women among every people, and that situations of extreme stress bring out the worst as well as the best in a person. The implications were disquieting because they suggested that the Jewish leaders, too, caught in the totalitarian system, suffered from an impaired moral faculty.685

This new understanding of moral collapse seems, at first glance, to be quite devastating. However, the “black and white” nature of this kind of statement, which leaves no room for shades of grey, also offers an important resource for resisting compliance with systemic evil, at least on the individual level. The message offered here could not, in effect, be clearer. It is essentially that, when one becomes aware that they are living and working within a context of systemic evil, the only option available in order to avoid complicity is total withdrawal from that system. Arendt would therefore argue that it is not possible, regardless of one’s intentions or inner convictions, to remain

685 Visible Spaces, 233-4.
active in a system without also becoming complicit in its goals. She makes this clear in her essay “Personal Responsibility Under Dictatorship,”

> Total domination reaches out into all, not only the political, spheres of life…There is no office and indeed no job of any public significance, from advertising agencies to the judiciary, from play-acting to sports journalism, from primary and secondary schooling to the universities and learned societies, in which an unequivocal acceptance of the ruling principles is not demanded. Whoever participates in public life at all, regardless of party membership or membership in the elite formations of the regime, is implicated in one way or another in the deeds of the regime as a whole…For the simple truth of the matter is that only those who withdrew from public life altogether, who refused political responsibility of any sort, could avoid being implicated in crimes, could avoid legal and moral responsibility.\(^{686}\)

This statement serves to clarify, but not to resolve the limitations involved in, Arendt’s claim that “doing nothing” was the only viable choice for the Councils.

Arendt’s judgment of the Jewish Councils, although suffering from devastating limitations, therefore offers an important resource for preventing compliance with systemic evil by arguing that such compliance is inevitable if we exist and participate in systemic evil to any degree, regardless of our personal motivations or intentions. This may help us to avoid complicity in systemic evil in its earliest stages, by refusing to participate in any system that promotes injustice or evil in any way. In its later stages, however, or in cases as extreme as the totalitarian context, as the Jewish Councils demonstrate, nonparticipation or “doing nothing” may not be possible, or may come with serious consequences. Nevertheless, Arendt judgment of the Councils seems to suggest that such consequences, no matter what they might entail, should always be preferable to participation and complicity.

It is more questionable, however, whether this aspect of Arendt’s overall representation of the Holocaust provides resources for preventing compliance with systemic evil on the international level. It is true that systemic evil is often perpetrated on this level, and therefore implicates national and international institutions and organizations. In such cases, it seems reasonable that we could expect these institutions and organizations to refuse to participate or to abandon alliances that they understood as promoting systemic evil or injustice. Such nonparticipation could, presumably, prevent their compliance with systemic evil in its initial and later stages.

Ultimately, however, where Arendt’s judgment of the Councils fails to provide resources for preventing compliance with systemic evil on the international level, is in her claim that “doing nothing” or “nonparticipation” is the only appropriate response to systemic evil. Such a conclusion essentially nullifies the impulse for international intervention in cases of systemic evil around the world, and therefore leads to its perpetuation, rather than its prevention. In such cases, many would argue “doing nothing” in fact leads to complicity rather than prevention, since only forced insertion and opposition to the system, can help to confront and prevent it.
Conclusion

This dissertation was inspired by the growing acknowledgement of the practical effects and ethical implications that representations of the Holocaust have in the world. I have sought to provide a framework for identifying and analyzing these effects and implications. This framework that was inspired by and applied to what is perhaps the most controversial representation of the Holocaust ever proposed, that found in the writings of Hannah Arendt. Each chapter presents an aspect I have identified of Arendt’s overall representation of the Holocaust; explores the responses, critiques and limitations of this aspect; and considers it in light of this framework.

In my introductory chapter I detailed the recent acknowledgement in the field of Holocaust Studies of the practical and ethical implications of representations of the Holocaust. Arguing that Hannah Arendt has in fact provided an overall representation of the Holocaust, I used her own goal of understanding as a guideline for determining how to evaluate this representation, concluding that it should contribute to both reconciliation and prevention.

For Arendt reconciliation entailed making the Holocaust comprehensible. For this reason, in asking whether each aspect of her representation of the Holocaust accomplishes this, I have considered whether it functions to make the Holocaust comprehensible by identifying the factors that made it possible and actual, as well as the processes, methods, and devices that implicated people at various levels of society.

Although Arendt understood totalitarianism as something that could not be completely resisted as long as it remained a potentiality in our world (which is negated by her claim that it was unprecedented), she also indicated that understanding entailed a process of self-understanding. For this reason, I have concluded that resistance entails an
acknowledgement of the ways in which we ourselves become, and can avoid becoming,
complicit in systemic evil in the present and future. Thus, in asking whether each aspect
of her representation of the Holocaust fulfills the criteria of prevention, I considered
whether it helps us to identify, confront, and prevent compliance with systemic evil in its
initial and later stages, and on the individual and international level.

My second chapter explored Arendt’s claim that the Holocaust, or totalitarianism,
was unprecedented. This entailed not only that it was new and unpredictable at the time
of its emergence, but also that it remains a potentiality in the world. Arendt’s
identification of totalitarianism in this way was primarily due to her claim that it sought
and achieved the total domination of man, the elimination of their capacity for
spontaneity and natality in and through their systematic destruction, which introduced a
new form of evil into the world, which she called “radical.”

Survivor testimonies, such as those of Levi and Delbo, provide evidence that both
confirms and challenges Arendt’s claim that total domination was achieved in the camps,
as they testify to the survival of moral life in the camps, as well as the destruction of
spontaneity. In his writings on the concentration camps, Agamben challenges Arendt’s
claim that total domination was in fact unprecedented using Foucault’s notion of
biopolitics to suggest that although the camps presented a new and distinct context for
total domination (or bare life/ Homo Sacer), this domination did not in fact occur for the
first time with the advent of totalitarianism, but instead has always been a central aspect
of western politics.

In assessing whether this aspect of Arendt’s representation of the Holocaust
promotes reconciliation I argued that it contributes to making the Holocaust a
comprehensible reality by identifying not only the factors that made its emergence possible and actual, including detailed description of these factors, or elements, such as imperialism, “antisemitism, decay of the nation state, racism, expansion for expansions sake, alliance between capital and mob,” and also by identifying the methods and devices whereby people from across totalitarian society were implicated in its policies and goals, particularly in her analysis of ideology and terror. However, this aspect also reveals two realities, the concentration camps and the radical evil they introduced into the world, that Arendt affirmed presented insurmountable obstacles to both comprehension and reconciliation.

In assessing whether this aspect of Arendt’s representation of the Holocaust works towards prevention, I concluded that its most important contribution is its identification of the stages on the way to total domination, particularly the initial stage, the destruction of the judicial person. Because Arendt considered the denial of civil rights to imply the denial of human rights, this aspect of her representation works to prevent future evils by necessitating that “humanity in general” intervene whenever a person, or a group of persons, is denied these rights. Neither this imperative, however, nor Birmingham’s rethinking of civil rights in light of natality and “giveness,” offers much tangible guidance on how to intervene in cases where this protection is denied, at the individual or international level, especially when this protection has been denied for an extended period of time, or when systemic evil is in its later stages.

My third chapter explored Arendt’s representation of Adolf Eichmann and her identification of the evil he exemplified as “banal.” This representation was primarily motivated by her identification of an abyss between Eichmann’s deeds (which were evil and monstrous) and Eichmann himself (who was normal, and not a monster). Thus, Eichmann’s horrendous crimes could not be understood as either a reflection of antisemitic commitments or psychopathic tendencies. Arendt’s emphasis on Eichmann’s normality primarily entailed that he had a conscience, and that, at least initially, his conscience functioned in the expected way, by revolting at the idea of murdering the Jews. Her report describes the process that he underwent within the context of systemic evil, and which effected in him a reversal of his conscience, so that it revolted not at the murder of the Jews but instead at the prospect of not performing his murderous duties efficiently. The factors involved in this process include the “language games” of the regime (which effected a distancing from reality), the fact of war (which desensitized people to the fact and reality of death), Eichmann’s conclusion that he spoke and acted with the voice of respectable society, his thoughtlessness (or failure to engage in the two-in-one dialogue with himself), and his conflation of moral and legal responsibility.

Arendt’s representation of Eichmann and his banal evil elicited an impassioned controversy that continues today. Although many of the criticisms leveled against this aspect of her representation, such as the claim that she meant to exonerate or defend Eichmann, are based on a misunderstanding of her report, many continue to argue, and some very convincing (most recently, Bettina Stangneth), that Arendt was simply wrong about Eichmann, and that his evil deeds are a direct reflection of his deep commitment to Nazi ideology. Although many of these responses and critiques are
convincing, and in fact may reveal fatal limitations of Arendt’s representation of
Eichmann, this representation has continued to have a transformative effect on the way
that we understand perpetrator behavior in Holocaust and Genocide Studies and across
the Social Sciences. In order for this transformative effect to be possible, however, we
must consider the banality of evil as a phenomenon that extends beyond Eichmann’s
particular case, something which she explicitly claimed she never intended, but, I argue,
implicitly supported in her later writings.

In asking whether this aspect of Arendt’s representation of the Holocaust works
towards reconciliation, I concluded that its most important contribution is that it functions
to demythologize Eichmann’s evil by making it comprehensible. It accomplishes this by
identifying the factors that made his deeds possible and actual, the same factors that
effected the reversal of his conscience in the context of systemic evil. Where this aspect
of Arendt’s representation leaves us wanting, however, is in explaining the complicity of
others at various levels of society within this context. Although I have suggested that they
may exhibit the same thoughtlessness as Eichmann, Arendt does not provide any
description or explanation of the processes, devices, or methods that may help to explain
their “coordination” with the regime.

In assessing whether this aspect of Arendt’s representation of the Holocaust
works towards prevention, I concluded that its most important contribution is its
identification of the ways in which we can become complicit in systemic evil, in its initial
and later stages, by failing to engage our two-in-one thinking capacity. Resistance to
systemic evil thus lies primarily in our commitment to exercise this capacity, and to
always question and critically examine the dominant norms and conventions of society.
When considering prevention on the international level, Schabas argues that, despite Arendt’s claims to the contrary, the Eichmann trial has served as an important precedent for transforming international law. In addition, the “process model” that Arendt uses to explain Eichmann’s reversal of conscience is reflected in many international efforts to prevent and intervene in cases of genocide, particularly the International Alliance to End Genocide.

My third chapter explored Arendt’s representation and judgment of the Jewish Councils. My brief examination of the purpose, establishment and composition; motivations; tasks; and strategies of the Councils, as well as my presentation of the many critiques of this aspect of Arendt’s representation of the Holocaust reveal that this is by far the most limited of these aspect I have considered in this project. These limitations include Arendt’s ascription of a central role to the Councils in the “final solution;” her generalization of and failure to consider the various strategies, motivations, and responses to Nazi directives that characterized the Councils; and her claim that Jewish Councils, in order to avoid “cooperation” with the Nazi forces, should have opted for “doing nothing” in the face of Nazi orders.

In response to critics who charged that Arendt was judging the Councils even though she had no right to judge them, Arendt clarified that her judgment of the Councils was only meant to apply to those who continued to serve in the Councils after they learned of the “final solution.” Nevertheless, if we submit her judgment of them, even only after this point, to the criteria she herself identifies in her own theory of judgment, the limitations of this aspect of her representation of the Holocaust continue to make themselves apparent. Although this theory helps to explain why Arendt concluded that
the Councils failed to judge their actions appropriately, since, lacking access to the perspectives of their community members, they should have concluded that “doing nothing” was the only way to avoid complicity, Arendt’s retrospective judgment of the Councils fails to live up to the standards of her theory by failing to demonstrate that it was reached in and through an exercise of her own “enlarged mentality.”

In assessing whether this aspect of Arendt’s representation of the Holocaust promotes reconciliation, I concluded that its severe limitations negate any significant contribution it could make. This is primarily because, even though Arendt explicitly understood judgment as contributing to reconciliation, her judgment of the Councils is not based on a thorough analysis of their situation or motivations, and therefore cannot contribute to making the Holocaust comprehensible by identifying the factors that made their “cooperation” (as she understands it), possible and actual, or the processes, methods and devices that (according to her), implicated them in the regime.

In asking whether this aspect of Arendt’s representation of the Holocaust works towards prevention, I concluded that its most important contribution is the new understanding of “moral collapse” it provides, whereby any kind of participation in systemic evil, regardless of one’s personal motivations and intentions, results in complicity with the system. According to this understanding, only complete withdrawal in cases of systemic evil, or “doing nothing,” can function to avoid such complicity. When considered on the individual level, this insight may help us to identify, confront, and prevent systemic evil in its initial and later stages by compelling us to critically examine the policies and the goals of the systems that we ordinarily (perhaps
thoughtlessly) belong to and participate in. On the international level, however, complete withdrawal as a response to systemic evil can only lead to its perpetuation.

Throughout this project, the framework I have proposed has helped contribute to a rethinking of Arendt’s overall representation of the Holocaust not only in light of a new consideration of her responders and critics, but also in light of recent concerns to identify and assess the practical effects of representations of the Holocaust. It has been demonstrated that, although it is not without limitations, particularly regarding its ethical responsibility towards representing the past, Arendt’s representation of the Holocaust has some important contributions to make towards promoting ethical action in the present and future. Foremost among these are her emphasis on the unprecedented nature of totalitarianism, the dangers of thoughtlessness, and the insidious nature of systemic evil, which implicates everyone it touches.

In her overall representation of the Holocaust, although she does not always fully succeed, Arendt strives to make this most extreme case of systemic evil comprehensible and confrontable. Her efforts, although not without their limitations, offer helpful guidance to us in our continued struggle against the effects of systemic evil in the world. When considered as a whole, I argue that, despite its limitations, Arendt’s representation of the Holocaust places us in an unprecedented position of responsibility in a world in which totalitarianism, or systemic evil, remains an ever-present potentiality. Thus, although Arendt sought reconciliation in order that she could feel at home in such a world, this feeling can only really be assured if we ourselves both understand our potential for complicity in systemic evil and actively work towards its prevention.
Arendt’s overall representation of the Holocaust therefore serves to promote the stance towards the world that she identified and celebrated in Gotthold Lessing, who “never felt completely at home in the world as it then existed and probably never wanted to, and still after his own fashion … always remained committed to it.” In other words, if we are to truly feel at home in the world, we must remain committed to it. This commitment entails a continued and continuing acknowledgement of our own capacity for complicity in systemic evil, and a commitment to ourselves, the world, and others, to prevent this complicity.

The connection between reconciliation and prevention thus becomes even more pronounced, as it is only by understanding our own potential for complicity in systemic evil that we are able to prevent it, and it is only by preventing this complicity that we are able to make the world a place fit for human habitation, or be reconciled to a world in which systemic evil remains an ever-present potentiality. Rethinking Arendt’s representation of the Holocaust in this way therefore reveals that, despite its limitations, it offers important resources not only for understanding, but also for practically responding to systemic evil in the present and future.

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688 Arendt, *Men in Dark Times* (San Diego: Harcourt Brace, 1968), 5. Neiman reaches a similar conclusion about Arendt’s representation of Eichmann and his evil as banal, “To show we are at home in the world would make us too comfortable for anyone so profoundly cosmopolitan, as she recognized when she refused to attribute such a project to Lessing. To provide a framework that would reconcile us to reality might support a passive stance which threatens to acquiesce to it.” *EMT*, 300 “Her work seeks a framework to help us find our way in the world without being too comfortable in it.” *EMT*, 301
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