

Essays in Philosophy

A Biannual Journal

Vol. 3 No. 2

Book Review

Hannah Arendt in Jerusalem. Edited by Steven E. Aschheim. Berkeley: University of California Press, 2001, ISBN # 0-520-22057-9.

The articles in this collection are wide-ranging and many are written by important and prestigious scholars. The title of the volume evokes the title of what is arguably Arendt's most famous book outside academia: *Eichmann in Jerusalem: A Study on the Banality of Evil*, which she wrote as a report of Eichmann's trial commissioned by *The New Yorker*. Given the title of this collection, one might have expected it to deal primarily with Arendt's reflections on Eichmann's trial, but these expectations are not met. The title of the collection remains merely a rather empty play with words, since Arendt's *Eichmann* is not discussed at length or in depth. In the preface to this volume, Aschheim claims that by playing upon the title of Arendt's book he is trying to "allow [for] the possibility of a free, open, and productive encounter with her life, work, and thought" (xi). It is hard to see, however, how a mere title allows for this.

The silence regarding the specifics of Arendt's views on Eichmann's trial is regrettable, since Arendt's report was the center of a heated debate in the years after it was published, a debate in which some of the contributors to this collection, like Walter Laqueur, participated. This debate, moreover, contains many important lessons not only for political and legal theory, but also for contemporary history and sociology. Eichmann's trial has a much greater claim to the title of 'the trial of the century' than any of the recent football stars' trials which have been described in grandiloquent terms by the media. It would have been valuable if this collection had focused upon Arendt's views regarding the trial; not only to be faithful to its title and to address a surprisingly under-investigated area within Arendtian scholarship, but also in order to distinguish itself from recent collections that revolve around generic Arendtian themes. (Incidentally, simultaneously with this collection, *Cambridge Companion to Hannah Arendt* edited by Dana Villa (who has two articles in this collection) appeared as well.)

Aside from Aschheim's Preface and Introduction, the collection is divided into five sections: 1) Politics in Philosophy, 2) The Origins of Totalitarianism, 3) Hannah Arendt and Jewishness: Identity, History, and Zionism, 4) Eichmann in Jerusalem, and 5) Arendt and German Culture. I shall discuss each of these sections separately.

Aschheim's introduction is a reflection on the significance of Arendt's life and work. It does not contain a road-map to the collection, but a valuable discussion of Arendt herself. For instance, at the outset he reminds us that it was not until 2000 that Arendt was translated into Hebrew, and he discusses why this was the case (1-2). He concludes the introduction by pointing out that Israeli

thinkers “need no longer demonize Arendt”, though he also warns against the uncritical move that would seek to “canonize her” (15). The tendency towards either demonizing or canonizing Arendt is most strongly felt, precisely in relation to her views regarding Eichmann’s trial, a topic which is by and large ignored in this volume. But even-handed as Aschheim seeks to be regarding Arendt, the general tone of the contributions in the volume is rather apologetic. Aschheim himself is guilty of a rather acrimonious and gratuitous remark against a critic of Arendt’s views on Eichmann’s trial and the holocaust in general. Aschheim points out that: “Arendt—to put it mildly—was not Daniel Goldhagen. She was never happy to see these extreme events portrayed in terms of a simple dichotomy between wildly anti-Semitic German killers and Jewish victims” (13). I think it is fair to characterize this as a low blow, let alone an unsubstantiated one.

Politics and Philosophy

Agnes Heller’s article, appropriately entitled “On Tradition and New Beginnings”, is a discussion of Arendt’s “vision” regarding the way that past and present interact with human action and the experience of freedom. Albrecht Wellmer probingly discusses the Arendtian criticism of liberalism. While Wellmer is aware of some problems with Arendt’s account of political liberalism, he chooses to ignore them, and to focus, rather, on “Arendt’s contributions to a post-metaphysical understanding of democracy” (46). This maneuver of turning away from flaws in Arendt’s views is an all too common attitude present in many of the contributions to this collection: whenever Arendt makes mistakes, one should reinterpret her work, re-direct one’s gaze away from what could be taken to be a flaw.

Walter Laqueur’s “The Arendt Cult: Hannah Arendt as Political Commentator” is an elegant, informative, and gripping account of the multifarious aspects of Arendt’s life. More than any other article in this volume, this one reads like an even-handed and comprehensive introduction to Arendt. Laqueur puts forth the view that “there is a fascinating discrepancy between Arendt the political philosopher and the poverty of her judgment concerning current politics” (50), and points out how she became “*persona gratissima* with the German ‘functionalists’ because of her concept of the ‘banality of evil’” which diffused blame throughout a bureaucratic apparatus. This notion of the ‘banality of evil’ gave rise to unjustified criticism to Arendt. Some critics assumed that she might have meant by it that the Holocaust was a banal event—though Arendt never really claimed such a thing. Nevertheless, the phrase does remain obscure; so much so that Arendt’s friend, Gershon Scholem, famously led the way in referring to the expression as a mere sound-bite. Soberly, Laqueur admits that while at times confused, at times wrong, at times brilliant, Arendt was consistently stimulating.

Susan Neiman’s article, like many in the volume, exhibits a certain uncritical bias in favor of Arendt: remarks to the tenor of “Arendt, of course, is far too sophisticated and too determined to...” (77) are rife. Neiman touches upon many topics; amongst the most prominent is an analysis of human action and its relation to wickedness. While Neiman’s analyses are interesting, shockingly, they reveal great ignorance about contemporary action theory as well as of contemporary legal theory. For example, Neiman assumes that intentions and motives are synonyms (77), whereas it is commonplace in contemporary philosophy (and I would say even from a common-sense perspective) that these two mental states are quite different. But what’s much more disturbing is that Neiman perpetuates a mistake which plagues Arendt’s account of Eichmann’s trial: that if Eichmann did not intend to do what he did, then he was not guilty. This is a travesty of

criminal culpability, since intention is not a necessary condition for liability. Intentions are just an indication, nestled in a multi-layered and highly sophisticated network of indications, of the relative severity of the punishment that a given act deserves.

Culpability is the study of the mental states that a defendant has when she commits a crime. These mental states give rise to greater or smaller condemnations. Although several *ceteris paribus* clauses and other qualifications are needed, the central principle behind theories of culpability is that killing someone intentionally is more blameworthy than killing someone unintentionally. There exist subdivisions within different types of intentional actions and different types of unintentional actions, which together give rise to a sophisticated and coherent pattern for meting out condemnation. The main point about culpability is straightforward: to do wrong intentionally is more blameworthy than to do wrong unintentionally.

Arendt's misunderstanding of the nature of culpability, which Neiman echoes, is glaring. In an extremely infelicitous passage of *Eichmann in Jerusalem* Arendt tells us: "Foremost amongst the larger issues at stake in the Eichmann trial was the assumption current in all modern legal systems that intent to do wrong is necessary for the commission of a crime. On nothing, perhaps, has civilized jurisprudence prided itself more than on this taking into account of the subjective factor. Where this intent is absent... we feel no crime has been committed" (*Eichmann in Jerusalem*, 277). This is plainly false: the intention to do wrong is not necessary for the commission of a crime. Intention to do wrong would, in principle, give rise to a sterner punishment: that is all. Throughout the world, and throughout human history, people are punished for crimes that they did not intend to commit. Reckless and negligent crimes are obvious examples of this.

The Origins of Totalitarianism

Bernard Crick's article opens the second section of the book. He provides an interesting and brief discussion of the differential treatment that Arendt received in the United Kingdom and in the United States. Arendt was far less popular within the Oxbridge-London triangle than in New York. Crick recounts how, for example, in the early sixties Isaiah Berlin had laconically declared Arendt to be the "most over-rated author of the year" (95). Michael Halberstam's "On the Totalitarian Sublime and its Promise of Freedom" is a learned attempt to show that Arendt fits in nicely with the particularly German philosophical tradition that links politics and aesthetics rather closely. In spite of the fact that Halberstam's piece is well-entrenched in German historiography and philosophy, it is one of the most accessible and useful in the collection. He provides, for example, a fascinating discussion of the dual nature of 'terror' as both a political and a neo-aesthetic category. Dana Villa's article (the first of two in this collection), "Totalitarianism, Modernity, and the Tradition", closes this section. Villa's article is a well-written, though long, piece on the historical significance of totalitarianism. The first paragraph of Villa's article contains a set of questions which represent a nice blueprint to the article. The first of these questions points to whether or not totalitarianism, as Arendt understands it, is a peculiarly modern phenomenon, an issue that affords a nice pathway into many central aspects of Arendt's thought.

Hannah Arendt and Jewishness: Identity, History, and Zionism

Liliane Weissberg explores Arendt's views on German-Jewish literature, and on Arendt's self-image regarding her own dual condition. Ammon Raz-Krakitkin explores Arendt's views regarding Israel

and Palestine, with special emphasis on her support for bi-nationalism. The connection between Arendt and Zionism is further explored in the articles by Moshe Zimmerman and Richard J. Bernstein. Arendt's relationship with Zionism was always complicated (the very title of Zimmerman's article calls Arendt a Post-Zionist). While Arendt agreed with some aspects of Zionism, and with some of its results, such as the Hebrew University and the Kibbutz system (193), she disagreed with other more nationalistic aspects of the movement.

Eichmann in Jerusalem

Michael R. Marrus begins his "Eichmann in Jerusalem: Justice and History" by admitting that Arendt's argumentation in her report was "sometimes reckless", a serious charge, which nonetheless meets with great indulgence by many Arendtian scholars. Marrus, moreover, claims to be interested in focusing on the legal aspects of Eichmann's trial, rather than on whether or not Arendt's views revealed her to be a self-hating Jew, or whether she actually blamed the victims of the Holocaust for their own demise. The focus on the legal aspects of the trial is a healthy decision, though, of course, the emphasis on legal matters and emphasis on the import of Arendt's own views are not dichotomous enterprises. Marrus concludes that Arendt's main "quarrel" with the prosecution in Eichmann's trial was that, by focusing on Eichmann and the Jewish people, "it had failed to point out the universal and historical significance of what had occurred". While Arendt did complain about the prosecution along lines consistent with Marrus' description, she also quarreled with the prosecution in a number of other, sometimes inconsistent, issues. The true leitmotif of Arendt's report of the trial was that the only thing that should be judged in the trial was Eichmann's behavior, not Germany, not anti-Semitism, but only the behavior of the man in the glass booth. In fact, Arendt was more than emphatic in claiming that Justice was the *only* goal of the trial. She begins the book by telling us that "Justice insists on the importance of Adolf Eichmann... the man in the glass booth... On trial are his deeds, not the suffering of the Jews, not the German people or mankind, not even anti-Semitism and racism" (*Eichmann in Jerusalem*, 5). In the Epilogue, she repeats, "the purpose of a trial is to render justice, and nothing else; even the noblest of ulterior purposes... can only detract from the law's main business" (*Eichmann in Jerusalem*, 253). Arendt's distinction between (a) what Eichmann did and (b) what he caused others to suffer has been dubbed, understandably, a classical example of metaphysical "hairsplitting". Yaacov Lozowick and Hans Mommsen discuss the nature of evil and of the Holocaust in light of Arendt's views of Eichmann's trial.

Leora Bilsky's piece begins naively, by calling our attention to the fact that "'history' contains the word 'story'" and then claiming that this is significant because, therefore, "every historian is also a story-teller" (232). She moves, then, to a historiographic comparison of Arendt's version of the trial and the version provided by Gideon Hausner (Israel's chief prosecutor during Eichmann's trial). In predictable fashion, Bilsky suggests a sort of compromise between the two versions of the events. Of course, given the huge discrepancies between the two 'stories' it might have been valuable to hear Bilsky's opinion regarding areas in which Arendt may have been clearly wrong or clearly right. Richard I. Cohen discusses the impact that Arendt's *Eichmann in Jerusalem* has had, with special emphasis on the difference between the reception of Arendt's book in Jewish and non-Jewish circles. Cohen's treatment of the different reactions is even-handed and informative.

Arendt and German Culture

The last section of the book, devoted to the analysis of the relationship between Arendt and German culture, is mostly comprised of Arendt's relationship to her two teachers Heidegger and Jaspers (an exception to this is the brief article by Gabriel Motzkin, in which Arendt's connection with German Romanticism is analyzed). It should go without saying that this is a rather narrow view of German culture (surely there is more to German culture than Heidegger and Jaspers). This is not a criticism of the articles in this section, but, again, of the misleading title that is given to it. Despite their merits, the contributions to this section are extraordinarily specialized, and of interest, probably, only to those immersed in Arendtian, Heideggerian, or Jasperian scholarship.

I have advanced two main criticisms against this volume: (1) the collection is not really about Arendt's views on Eichmann's trial as its title suggests (and that thus it is not terribly different from the numerous collections on Arendt's thought which have seen the light of day recently); and, (2) the authors tend to be rather indulgent with Arendt's mistakes. In spite of these criticisms, it is also true that most of the articles in this collection are well-written and impressively researched, and they succeed in presenting a compelling and interesting picture of Arendt's thought.

Leo Zaibert
University of Wisconsin, Parkside

Copyright © 2002, Humboldt State University