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HANNAH ARENDT'S THEORY OF DELIBERATIVE JUDGMENT

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by

Joshua A. Miller

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The dissertation of Joshua A. Miller was reviewed and approved* by the following:

John Christman
Associate Professor of Philosophy and Political Science
Dissertation Advisor
Chair of Committee

Shannon Sullivan
Professor of Philosophy, Women's Studies, and African and African American Studies
Head of the Department of Philosophy

Dennis J. Schmidt
Liberal Arts Research Professor of Philosophy, Comparative Literature, and German

Stephen H. Browne
Professor of Communication Arts and Sciences

*Signatures are on file with the Graduate School.

Abstract

In this dissertation, I investigate the role of judgment in the work of Hannah Arendt, focusing on her reading of Kant and Augustine and her account of deliberation in democratic theory. In an attempt to fill the lacuna left by her unfinished work, *The Life of the Mind*, I argue that Arendt's appropriation of the Kantian *sensus communis* entails a theory of ethical and political judgment centered in the community rather than the subject. Taking my cue from her comment that the goal of philosophy is to teach us how to "think without banisters," I defend Arendt's view that the faculty of thinking cannot practically constrain the faculty of willing, and that the categorical imperative is inadequate to challenge of the explosive unforeseeability that Arendt attributes to action. Thus Arendt's account of judging cannot be equated with reasoning over consequences or intentions.

Because Arendt rejects Kant's attempts to circumscribe action under a moral law and his nascent account of historical progress developed under the rubric of teleological judgment, her account of aesthetic judgments also departs significantly from that of Kant. To spell out this departure, I analyze Arendt's dissertation on Augustine, in which I show that Arendt sought a theory of judging as *amor mundi* that depends on the phenomenological circumscription of communities of interpretation and response. I expand this account with a reading of Augustine's struggle to negotiate with the Donatist schismatics, which I use to develop the parallels between Arendt's account of judgment and contemporary democratic theories of deliberation and public reason.

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Introduction

"You know, all the modern philosophers have somewhere in their thought a rather apologetic sentence that says, 'Thinking is also acting.' Oh no, it is not! And to say that is rather dishonest. I mean, let's face the music: it is not the same! On the contrary, I have to keep back to a large extent from participating, from commitment.... And I think I understood something of action precisely because I looked at it from the outside, more or less." (Hill 1979, 304)

This dissertation began as a question: what is the relationship between philosophy and politics? I chose to work on Hannah Arendt because she seemed to have an answer to that question that is at odds with the answers of many political philosophers who take the act of theorizing or philosophizing itself to be the radical or insurrectionary act. In pursuit of this question, I took up the specific exegetical task of filling in the account of "Judging" that Arendt left unfinished when she died, because in some of her descriptions of it, and in much of the secondary scholarship on Arendt, this final, unwritten chapter promised to supply Arendt's answer to politicizing philosophy after a lifetime of grappling with its difficulties. Yet I found myself at odds with other readers of Arendt, who seemed perpetually to put her texts to the task of imagining a larger role for thinking and reflection in politics than I believe she would countenance. This is the temptation of an unwritten work: it serves as a lacuna which each reader can fill in for herself. Disputes about the shape of that missing piece become especially heated if the unfinished project can credibly be granted the task of unifying and clarifying a lifetime of writing and analysis. What I offer, here, is my best criticism of the secondary scholarship and my best guess as to Arendt's intentions and directions.

The now common interpretation of Arendt's unwritten volume on judging is that Arendt would have supplied one of two kinds of accounts: a prospective account of judging useful for guiding political action, or a retrospective account of judging to evaluate historical events. Maurizio Passerin d'Entreves has claimed that Arendt intended to include both accounts: "Arendt's theory of judgment not only incorporates two models, the actor's — judging in order to act — and the spectator's — judging in order to cull meaning from the past." Yet at the same time, he admits that these accounts are at least in tension if not in contradiction: "the philosophical sources [this bidirectional account] draws upon are somewhat at odds with each other."¹ This understates the point: in fact, they are completely

incompatible, as I lay out in chapters one and two. Rather than embrace this incompatibility as one of the many tragic tensions in the human condition, too many readers of Arendt have chosen to believe that the unwritten volume would have supplied a miraculous resolution.

The bidirectional account of judgment depends on various use-cases Arendt made of the word "judgment" and "judging" in her earlier works. Yet these uses were far from rigorously vetted against a predetermined tripartite unity, as I described in chapters three and four. In her earliest works, Arendt used judging as a synonym for thinking in what would become her technical sense. During and immediately after the Eichmann trial, she used "judgment" in its juridical sense, to describe the specific activity in which institutional authorities adjudicate facts and legal principles. Then while lecturing on Kant she used it in his sense. What are we to make of this profusion of uses?

Arendt could not have intended any of these meanings if she hoped to stay consistent in *The Life of the Mind*. We ought to conclude that she was not of one mind on this faculty until she began to write *The Life of the Mind*, any more than she had a unified way of speaking of "Thinking" or "Willing" until that point. In chapter three and four, I show why Arendt could have accepted neither the prospective "actor" account nor the retrospective "spectator" account. In chapters five and six, I try to sketch the outlines of a theory of judgment that does not bridge or resolve the impasse of judgment, but rather makes it palatable.

We generally oppose good judgment to foolishness without explaining how judgment should be similar to or different from calculation, reasoning, speculation, or evaluation. We say that we use judgment when we distinguish right from wrong, but we also use it to distinguish beautiful and ugly; expensive and cheap; useful and superfluous; difficult and easy; polite and rude; friend and enemy; guilt and innocence. It may be that it is what Wittgenstein called a 'family resemblance' term, bound up with many different kinds of evaluation, without an unambiguous underlying concept. In chapter one, I demonstrate Arendt's account of the faculty of thinking, by which analyses of concepts like these proceed.

For many scholars, the pinnacle of Arendt's account of the life of the mind is to be found in judging as a spectator judges an exhibition, with an abstracted interest. This Arendtian imprimatur on the political value of speculative thought fuels an academic culture that prioritizes thinking over action under the guise of a commitment to action, which I believe is pernicious. It is my belief, as I believe it was Arendt's, that the retreat from political action is not desirable or strategic, but rather that we flee politics because speech and deeds have lost their power. We yearn for what Arendt called the 'lost revolutionary

treasure.' Throughout her work, Arendt gives different accounts of the moment of this loss, connecting it with various events in the history of ideas as distant as Plato's *Republic* and as modern as *The Pentagon Papers*. As such, it is not the product of a particular moment of forgetting but a forgetfulness characteristic of the human condition. The loss is not world-historical but rather phenomenological and perpetual: like many lessons of thought that must be relearned by each new generation, the possibilities of action are discovered and forgotten with seasonal regularity. In chapter two, I attempt to give a partial and modern account of that loss in the way that I see political passions expended and dissipated by our misplaced faith in the political character of speculative reason.

The unwritten section of Hannah Arendt's *The Life of the Mind* promised to supply an account of "Judging" that would connect the *vita activa* and the *vita contemplativa*, especially at the juncture between thought and action. One interpretation of this connection is as a faculty that allows us to think what we are doing, to subject our actions to deliberation regarding a hypothetical or categorical imperative. In chapter three, I take up Arendt's discomfort with Immanuel Kant's account of autonomy and practical reason. In fact, Arendt approached judgment in part as a rejection of the ethics of Kant, specifically his metaphysical account of practical reason, rooted in universality and law. Arendt frequently evaluated the political activities of groups and individuals, especially in the context of revolutionary politics where old norms of action were dissolved. Taking my cue from her comment that the goal of philosophy is to teach us how to "think without banisters," (Hill 1979) I defend Arendt's view that the faculty of thinking cannot practically constrain the faculty of willing, and that the categorical imperative is inadequate to challenge of the explosive unforeseeability that Arendt attributes to action. I illustrate this argument using Arendt's comments on the French and Hungarian Revolutions, and work through the defenses of this brand of judgment by Ronald Beiner, Richard Bernstein, and Jürgen Habermas.

In chapter four, I argue that while Arendt embraces portions of Kant's political project and looks to Kant for a phenomenology of shared judgments of enjoyment, she does so by conflating judgments of beauty with interpretations of meaning. When she lectured on Kant's political philosophy, Arendt denigrated universality in order to emphasize the expanded world made possible through the imagination: an enlarged and impartial *sensus communis*. Because she rejects his attempts to circumscribe action under a moral law, Arendt's aesthetics also depart significantly from Kant's, not the least because sought both to generalize and to circumscribe the jurisdiction of our judgments of taste.

While many commentators have attempted to substitute Kant's work on judgment for this unwritten text, I reconstruct that account through an analysis of Arendt's dissertation and mature reflections on Augustine. I argue that Arendt sought a dispositional theory of judging distinct from the actor and spectator theories. She had begun to work on this topic in *Between Past and Future* in her meditations on history, tradition, culture, and education, but in chapter five I argue that she would have had to return to Augustine for a theory of the scope of our judgments, schism and refusal of community.

In chapter six, I begin to work through the evidence of Arendt's interest in judging by focusing on her account of prejudice, which she calls "crystallized judgments." In doing so, I work through Arendt's own defense of prejudice, which focuses on the necessity of proceeding without constantly judging the world anew. One prejudice in particular Arendt defends is her prejudice against charity, understood as the Christian conception of an unconditional gift. I develop the repudiation of judgment constrained by a duty to forgive, and use this to develop the relationship between the dispositional theory of judgment signaled by Arendt's early work on Augustine from a jurisdictional theory of judgment suggested by the transition from Kant to Augustine.

Finally, I situate Augustine's usefulness for such a jurisdictional and dispositional theory of judgment in the context of his role in the Donatist controversy. The Donatists resisted the union of Christianity with the Roman Empire under Constantine, and Augustine's attempts to settle the dispute through dialogue provide an excellent analogy for the problem of hierarchical judgment and imperial overreaching. In their resistance, exclusion and excommunication meet the problems of overlapping claims to universality. Neither legalistic nor retrospective, this notion of judgment does not resolve the conflict between thinking and willing, but rather helps the judge to persist in the impasse this conflict creates.

I. The Vita Activa and the Vita Contemplativa

Arendt begins *The Human Condition* with an account of a world in which "speech has lost its power," where scientific omnipotence is achieved through the manipulation of mathematical equations whose sense escapes even the mathematicians capacity to intuit, and the decision to unleash destructive nuclear powers has been foisted upon non-scientists who are even more ignorant than the scientists of the dark sorceries they control, struck mute by the unprecedented scale of the esoteric annihilation of atomic physics. The crucial connection between communication and comprehension has been severed, and the proper order in speech and silence has been tragically reversed. In the pages that follow, Arendt supplies and elaborates a hierarchical account of human activities, where the uncommunicative aspects of Arendt's picture of the dystopian modern world are supplanted with a romantic sense of self-

assertion and the achievements and honors of public life. Speech is impotent, but it cannot be restored to power through more talking. Rather, this dumb incomprehension can only be corrected by mending the world so that “men in the plural” can again “experience meaningfulness... and make sense to each other and themselves.” (Arendt 1958, 4)

Arendt’s work emphasized the role of community and plurality. Politics is characterized by the dictates of publicity and the necessity of maintaining our common world, while her account of thought is characterized by isolation. The plurality of the public forms a space from which we must wrest our attentions and to which we must return with our insights. The failure to do so can spell despair and disaster. “Because [man] exists only in the plural... his reason... is likely to go astray if deprived of [communication.]” (Arendt 1978, I, 99) The paradox is apparent: though we are never more alone than when we think, we nonetheless think in and through language, and language is the principle medium by which a community defines its world and renders it communicable. Arendt always qualified the solitude of thought with reference to the friendships and education that make it possible, and the cacophonous crowd it must ignore. (Arendt 1978, I, 83) Thus she concludes that the epistemological assumptions of modern science and the social forms of industrial life have disseminated a model of individuality that is poisonous to both action and thought: the evacuated life of liberal capitalists and the massified life of totalitarianism are both examples of polities without community. Why then would we wish to inject the isolation of thoughtfulness into politics?

The *vita activa* is comprised of three modes of activity: labor, work, and action. (Arendt 1958) Each corresponds to a particular condition of being human: labor to our physical needs, work to our desire for a meaningful world, and action to our demand for novelty and individuation:

“Labor assures not only individual survival by the life of the species. Work and its product, the human artifact, bestow a measure of permanence and durability upon the futility of mortal life and the fleeting character of human time. Action, in so far as it engages in founding and preserving political bodies, creates the conditions for remembrance, that is, for history.” (Arendt 1958, 8-9)

Labor and action are also distinguished by their topography: they can be easily mapped onto the traditional division between public and private. Arendt uses Aristotle to show that this division far predates liberalism. (Arendt 1958, 29) Labor’s roots can be traced to the activities of the home, the care and effort of sustenance and support, while action has its origins in the distinctions of battle, athletic prowess, and statesmanship to be found wherever men gathered together to compete and display their

excellence to each other. Where privacy is typified by the necessary life-supporting labor of food production and the strict economy of care, the public sphere is the realm of self-individuating action, where men and women whose needs have been met in the home speak and act before all. Yet these two provinces are not contiguous.

Labor and action are mediated by a third term, work, whose proper place is uncertain, whose alienage constantly troubles Arendt's texts. (Arendt 1958, Arendt 1963, Arendt 2005) The task of drawing and maintaining the delimitations between public and private, both figuratively and literally building the walls and shaping the constraints of these spheres, is left to this third activity: world-producing work. She associates work with the marketplace, where the values and meanings of products are set and negotiated. Her discussions of 'work' range broadly over references to Karl Marx's notion of value and surplus, Nietzsche's revaluation of values, and Heidegger's world-*poiesis*. She suggests that, as humans, we are both worldly and worlding, both the inhabitants and the creators of our world. She combines cultural norms and laws with the geographical and architectural context in which privacy and publicity are produced. In each case she struggles to balance the essentially human and linguistic nature of values and meanings with the claim that humans are capable of a kind of singularity beyond the simple production and assessment of worth and significance.

a. Action

Arendt claimed that the earliest references to the exceptional characteristics of action are to be seen in Homer's *Iliad*, (Arendt 1958, 193) but she also felt that action has long-since shed the simplicity of Homeric heroism in favor of a more nuanced activity. (Arendt 1958, 214) Action is about the polis in an important way, concerned with the constitution of the city and the institutions of justice, while at the same time it is the most authentic self-expression available to the individual. We must differentiate the primary sense of action, which derives from its phenomenological character ("What is it like?") from this second definition, derived from its content. ("What is it about?") Action always appears as *someone's* action, but it is always *about* the actor's world. In this second sense, action shades into work, insofar as both concern the world.

For Arendt, action is differentiated from other activities because it is *public* and *political*. (Arendt 1958, 199) Action is the self-individuating speech or deed that instantiates an individual's freedom and connects the individual to the *polis*. Publicity is the first prerequisite for action because the act foregrounds the actor, it tells us *who* the actor is. (Arendt 1958, 175) A properly public action expresses something that we might imagine to be internal or secret: it promises to show us her innermost being or

her destiny. Action may appear through the fiction of a hidden heart revealed in a single moment, or as a destiny summed in a singular deed, but in every world, the basic structure of action is individuation. Thus, we know the actor through her action, and she acts so as to be known. (Arendt 1958, 176; Arendt 1963)

Yet the second prerequisite for action is that the speech or deed must be properly political. Arendt acknowledges that some deeds may not properly engage with the constitution of the *polis*, though they still achieve publicity. While we might grant that we learn something about the actor in the existential meaningfulness of a suicide or romantic love's capacity to singularize the members of a couple for each other, these will only rarely count as action, since an action is only properly political if it concerns the community. (Arendt 1958, 178; Arendt 1963, 127) A crime may give us some sense of the criminal's singular being as thief or murderer, but even as many perpetrators attempt to exempt themselves from the law, they nonetheless recognize the law's legitimacy. The properly political action must refer to the constitution of our shared world: it must be *about* the law, or justice, or the public good. An arsonist does not communicate an alternative view of justice or alternative model for communal life. An interracial love affair in the anti-miscegenation South, however, *does* present an alternative to the community, as does the suicide of a torture victim, the vandalism of an anarchist, or the Socratic decision to accept death over exile. (Arendt 2005, 15)

b. Work

Though the dwelling which conceals and shelters the private sphere appears publically in its outlines, as the borders of the public sphere or the limits of the forum, the activity of making and maintaining the space of appearance is not a public process for Arendt. (Arendt 1958, 162) What she calls 'work' can be made to appear, it can be regulated and forced to correspond to a political hope or an ideological vision, but only at the expense of its capacity to make the world. "The specifically political forms of being together with others, acting in concert and speaking with ear other, are completely outside the range of his productivity. Only when he stops working his product is finished can he abandon his isolation." (Arendt, 1958, 162) Work produces enduring things, whose durability make possible the appearance of the public and the secrecy of the private. Work takes up the task of drawing and maintaining the delimitations between public and private, both figuratively and literally building the walls and shaping the constraints of these spheres. It is an activity whose products are displayed in public, while its producers remain shielded in private.

From the psychological perspective, the actor and the worker are distinguished by the publicity of the agent, since the actor appears as herself, while the worker or artisan, produces a thing that appears before him. “[W]hat they show [on the exchange market] is never themselves, not even their skills and qualities as in the ‘conspicuous production’ of the Middle Ages, but their products.” (Arendt 1958, 209) The relation is further complicated by the political nature of world-production and maintenance: both the revolutionary who overthrows the regime and the statesman who defends the republic are political, though the statesman acts only to preserve a world as it is, against a novelty that threatens to remake it. In Arendt’s terms, the production of knowledge is also a form of work: it encompasses scientific and scholarly research, but when its results enter the public sphere, they are transmuted into opinions, *doxa*. (Arendt 2005, 15) The author cannot constrain the actors’ capacity to enact the unpredicted and novel. Thus, in the public sphere, epistemic authority becomes indistinguishable from punditry and propaganda. From the perspective of the political, ideologically neutral research is conjoined with the worst forms of sophistry for the purposes of policy proposals and polemics. For Arendt, it is particularly important that the scholarly form of production falls under the rubric of work rather than politics. (Arendt 1958, 195) Since any discipline can potentially find that its truth-claims intersect with potentially political matters, it is preferable that the thinking that grounds the claim is free from the interested involvement of the market or the partisan manipulation of the political. Because it is impossible to prevent such entanglements, however, in practice we simply downgrade claims of expertise and knowledge to mere rhetoric and public relations when they enter the public sphere.²

c. Labor

Arendt did not write about labor at length. For her, laborious activity is simply that part of the human experience that is necessary, repetitive, and mindless. (Arendt 1958, 101) It is unresponsive to thought because there is nothing in it to think beyond the backbreaking requirements of our natural beings. The risk that automation might someday reduce labor itself to a fiction now seems vanishing small, but Arendt operated on the basic assumption that labor's thoughtlessness leaves the theorist free to think the rest of the human condition. At best, we can only ask who will engage in this labor, and it is supremely important to Arendt that this question not be allowed to become political except with regard to removing politically instituted distributions of labor, like slavery. (Arendt 1963, 71) Otherwise, the market is better suited to the task than the realm of publicity and singularity.³

Even the useful inventions that reduce the discomfort or increase the efficiency of labor are achieved through the productive efforts of work, which is self-undermining because it makes for us a world where

meaningful work is less common. Arendt evinces a strong ambivalence about such labor-saving devices. On the one hand, Arendt saw the potential for the eradication of labor through robotics, but on the other, industrial innovation heretofore had only “replaced workmanship with labor” (Arendt 1958, 124) by mechanizing once artisanal activities. On the other hand, the greatest threat of such techniques lies in the capacity to make a world even less friendly to human existence than the feudal societies before it, such that many achievements that would previously have called for work and involved the worker in her world, would now be pieced together by laborers enslaved by poverty to demonic looms that required a dubious bargain: their fierce speed consumed lives in exchange for productivity. This leads to a world made of commodities to be consumed rather than instruments to be used. It is a disposable world, made of objects whose worth is evaluated against that of other objects, rather than human needs and purposes. Meanwhile, the social forms of industrial productivity are inherently antipolitical: they chain many to the will of one, disciplining the gathered laborers to resist the possibilities of their plurality, until none can appear in their singularity or act uniquely. All their potentiality is dominated by a predictable scheme of productivity.

d. The Life of the Mind

In the *vita contemplativa*, the life of the mind that Arendt also calls by its Greek name, the *bios theoretikos*, there is a tripartite structure similar to the labor/work/action trinity: the three parts of the life of the mind are thinking, willing, and judging. Whereas the activities of the *vita activa* followed from the conditions of the human being, the faculties of the *vita contemplativa* are, Arendt claims, “unconditioned” and “autonomous.” (Arendt 1978, 70) Each corresponds to various kinds of withdrawal from appearances and action. Thinking withdraws from appearances completely, “de-sensing” the sensible in order to render it intelligible. Willing withdraws from desire and consequence: “...in order to will, the mind must withdraw from the immediacy of desire... the will is not concerned with objects but with projects.... [it] transforms the desire into an intention.” (Arendt 1978, I, 76)

Of judging, we are told little explicitly: even in the extant writing, Arendt piles up enigmatic phrases in its description: it is a “mysterious endowment of the mind,” a “peculiar faculty,” it decides “without any over-all rules” which renders its unconditioned autonomy particularly vexing for the reader seeking a definition. Arendt herself seems to be still feeling out the shape of this faculty, describing its prerequisites in impartiality and withdrawal from our own preferences and perspectives. Arendt stresses that it “presupposes an ‘unnatural’ and deliberate withdrawal from involvement and the

partiality of immediate interests as they are given by my position in the world and the part I play in it.” (Arendt 1978, 76)

The primary dichotomy is between willing and thinking. The will is the faculty tied to action in the public sphere; it makes free action possible. Insofar as its object is ‘meaning,’ thought is tied to the phenomenological category of world. In this, it is distinct from the ordinary faculty of calculation which deduces facts and laws from observation: “the basic fallacy, taking precedence over all specific metaphysical fallacies, is to interpret meaning on the model of truth.” (Arendt 1978, I, 15) Where ‘meanings’ are tied to the proximal limitations of interactions of world, specifically to the localized extent and a temporal reach of the worlds produced by human beings, ‘truth’ is a term that Arendt reserved for matters of observation and falsification. Because of this, ‘truth’ does not touch on justice or legitimacy, because the faculty of the will stymies thought when it attempts to think the meaning of these basically public matters. At the same time, the will finds no guidance in the ‘truth’ intuited by thought.

As Kant points out in the third antinomy, pure reason is incapable of settling the dispute between determinism and freedom. (Kant 1996, 558) Arendt argues further, claiming that thought has a structural prejudice against freedom due to the solitude from which thought issues. Thus, she claims that the mental faculty associated with free action often overlooks decision especially for those modern philosophers for whom causality has trumped novelty. To these philosophers, all innovation appears retrospectively predictable. However, the ‘truths’ of thought find expression in the common language, and this linguistic community expels us from the isolation of thought to a liminal precinct between singularity and plurality, the *aporia* between the spoken thought and the silent act.

The task of mediating this fractious tension between thinking and willing was to fall to the faculty of judging, but unfortunately, Arendt died before she could complete her systematic work on the subject. However, we have some indications of what Arendt might have intended to write about judgment had she survived. She wrote of Kant’s theory of judgment in detail in the posthumously published *Lectures on Kant’s Political Philosophy*, and made mention of judgment’s role in guiding political movements in her earlier work, *Between Past and Future*.

In the *Life of the Mind*, Arendt argues that philosophy has consistently misunderstood the human capacity for free action. “[I]t is certainly hard to escape the conclusion that philosophers seem genetically unable to come to terms with certain phenomena of the mind and its position in the world, that we can no more trust men of thought to arrive at a fair estimate of the Will than we could trust

them to arrive at a fair estimate of the body.” (Arendt 1978, II, 34) Philosophers think in solitude, while freedom is characterized by plurality. “The problem, as Plato saw it, was to make sure that the beginner would remain the complete master of what he had begun...” (Arendt 1958, 222) She equates these problems of willing and freedom with the capacity for novel action she ascribes to the political sphere. She argues that metaphysicians have usually done the will a disservice by attempting to subjugate it through thought or the understanding. “The view that everything real must be preceded by a potentiality as one of its causes implicitly denies the future as an authentic tense.” (Arendt 1978, II, 15) This is one reason she refused to ‘write an ethics’ in the traditional sense, which would subsume the will to reason. Instead, she sought the form of thought that could supply guidance or discernment to the political actor without trying to make the actor reason’s slave.

II. Misjudging Arendt

As the Vietnam War escalated, Hannah Arendt received this request from her friend Rosalie Colie: “Please write your morals. We need it, I do anyway.” (Young-Bruehl 1982, 362) Yet she never did. This request for guidance has blossomed into a cottage industry in Arendt scholarship.⁴ My contention in this dissertation is that discussions of Hannah Arendt’s unwritten volume on “Judging” which treat her final work as if it would have answered this missive by supplying the normative foundations of Arendt’s thought are mistaken. Yet throughout the rest of her work she repeatedly denied the usefulness of a “morals” in the face of the challenges that confront us. Having spent her life studying the tensions in modern life that had produced totalitarianism and genocide, Arendt had long since concluded that this kind of ethical system building was no match for these tensions and that something more was needed. Indeed, as she often repeated, under the pressure of wartime and totalitarian domination in Germany, everyone soon exchanges one set of ‘morals’ for another, and the ease of this exchange demonstrates the inadequacy of pure practical reason against the onslaught of events:

“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 set with no more trouble than it would take to change the table manners of a whole people.” (Arendt 2003, 41)

One way of articulating the difference between *mores* and morals is to assert that *mores* are merely the unscientific or inconsistent version of morals. On this view, morals are *mores* with the irrelevancies of table manners stripped away. In her many repetitions of the conflation of ‘*mores*’ and ‘morality,’ Arendt certainly suggests something close to this distinction. Yet when it comes time to spell out the specific

moral system that might emerge when the table manners are stripped away, she always balked, complicating the question or withholding her own judgment when it seemed most needed. As I shall detail in the next chapter, for instance, her care in judging Adolf Eichmann was so great that her contemporaries took it as evidence that she was tainted by anti-Semitism.

Writing on the theme of justice and the philosophy of law, the French philosopher Paul Ricoeur took up Hannah Arendt's theory of judgment in an attempt to evaluate the relationship between aesthetic judgment and political judgment. Ricoeur situates his account of Arendt's theory of judgment within a discussion of Immanuel Kant's *Critique of Judgment*. Arendt, Ricoeur tells us, laid "a large wager," in her account of judgment, gambling that "it is finally more profitable to attempt to disengage a conception of political judgment from the theory of the judgment of taste than to bind this conception to the theory of teleological judgment *via* the philosophy of history." (Ricoeur 2000, 101) In other words, Ricoeur claims that Arendt models her own theory on a misunderstanding of Kant's: by resolving the bifurcation in the *Critique of Judgment* between aesthetic judgment and teleological judgment by deprecating teleology and asserting the primacy of aesthetics, and then disengaging the judgments of political phenomena from the taste for merely aesthetic features of phenomena. According to Ricoeur, Arendt's bet was that judging occurs in our encounter with appearances, especially our judgment regarding the appearance of an act. Just as an artwork or natural scene may appear beautiful or ugly, an act may appear honorable or just. Thus, judging resides with the spectators, the actor's audience or the politician's constituents.

In contrast, Ricoeur writes, Arendt's distaste for teleological accounts of history was justified because "a philosophy of history that remained tributary to a philosophy of nature and that was deliberately oriented toward the future of the human species would block off an interest turned towards politics as such," which is to say that it "has for its subject not individual citizens, but the human species taken as a whole." (Ricoeur 2000, 103) For Arendt, the fundamental political fact is "that men, not Man, inhabit the earth." There is little room for unforeseeable novelty or singular self-disclosure from the teleological point of view, but aesthetic judgment is specifically oriented towards exemplarity, the aura of the irreplaceable artwork, and the new and innovative work of the genius. Kant's project was to bring teleological and aesthetic judgment together, but as Ricoeur points out, this only led to the Hegelian style of philosophy, "in which Spirit takes over for nature, and the cunning of reason would replace that of nature." (Ricoeur 2000, 108) From Arendt's perspective, this substitution is equally unsatisfying, since nature, reason, and spirit are just new names for providential teleologies that paper over our freedom. Yet Ricoeur performs this close reading of Arendt's theory of judgment only to show why she must be

wrong, both as an interpreter of Kant and in her attempts to describe the faculty in question. Aesthetic judgment is the judgment of a spectator watching events impassively, and Ricoeur argues that politics demands a judgment that acts and participates with a systematic “Doctrine of Right” in mind. On Ricoeur’s reading, Arendt’s account of judgment is therefore almost completely wrong, though it does contain one salvageable idea: that any comprehensive philosophy of history risks rendering every citizen into a passive observer as world-historical events play out in front of her.

Though he several times mentions that the volume devoted to Judging is “unfinished,” he never mentions that Arendt never even began writing it. She hadn’t put anything on paper beyond the epigraphs. The problem with Ricoeur’s reading of Arendt is that he assumes that her theory of judgment is an explicitly Kantian one, that her conception of judgment is consonant with Kant’s, or at least a certain flawed reading of Kant. Ricoeur assumes that the lectures on Kant she gave years earlier could serve as a meaningful substitute for that work. Despite the fact that Arendt distanced herself from Kant completely in the second volume, the three volumes of *The Life of the Mind* are now often read as if they can be mapped onto Kant’s three *Critiques*.

How could this happen? Left in a lurch by Arendt’s untimely death, the publisher decided to place a section entitled “Imagination” at the conclusion of the book in place of the unwritten portion, which comes from another set of Kant lectures by Arendt specifically on the *Critique of Judgment*. Most accounts of Arendt’s intended theory of judgment thus depend on Arendt’s *Lectures on Kant’s Political Philosophy*, given at the New School for Social Research in 1970, and edited by Ronald Beiner. A former student of Arendt’s, Beiner assembled typed and hand-written notes from those lectures into a clear, readable set of essays, and appended an interpretive essay in which he combines the accounts of the lectures from Arendt’s friends and students, like J. Glenn Gray, Mary McCarthy, and Michael Denny, with a survey of her work. In French, the “Imagination” postscript is published alongside Beiner’s version of the lectures on Kant’s political philosophy under the title *Juger. Sur la philosophie politique de Kant*, translated by Myriam Revault d’Allonnes with interpretive essays by Beiner and d’Allonnes.

Beiner proposes that Arendt’s work actually contains two theories or ‘phases’ of judgment: “the first relating to the world of praxis, and the second to that of contemplation.” (Beiner 1982, 92) During the ‘early’ phase, Arendt used ‘judging’ interchangeably with ‘theory,’ ‘thinking,’ ‘understanding,’ and ‘philosophy.’ Beiner suggests that in this phase Arendt is working on judgment through the lens of the *vita activa*, in keeping the features of political spaces in mind (plurality, singularity, unforeseeability) as when Arendt herself judged political life or political actors. It was only after Eichmann’s trial that she

began to work on the distinctions within the *vita contemplativa* to the extent that judgment became anything other than a special case of thinking. In this 'late' phase, Arendt treated judging as a solitary activity by which "one weighs the *possible* judgments of the imagined Other." (Beiner 1982, 92) For Beiner, this second sort of judging aids the deliberative process, making our emergence from solitude into public possible. He arrives at this conclusion from his careful attention to the "organic whole" formed by the 1970 lectures.

In a section devoted to 'critical questions,' Beiner asks: "Is Kant the only, or even the best, source for a theory of judgment?" (Beiner 1982, 132) He repeatedly concludes that Kant is neither the only nor the best source account of judging. Acknowledging that Arendt had written on Aristotle's theory of *phronesis*, Beiner goes on to beg the question: "We must inquire *why* she turned exclusively to Kant for inspiration when she sought to explore the theme of judgment..." (emphasis mine, Beiner 1982, 140) In fact, it seems we ought to begin with another inquiry, *if* she turned exclusively to Kant. True, she wrote in the postscript to the first volume of *The Life of the Mind* that the *Critique of Judgment* was the first time judgment became "a major topic for a major thinker," (Arendt 1978, I, 215) but as we shall see, she changed her mind regarding the role and extent of any major work on judgment during the writing of the second volume of the *Life of the Mind*, which is also the period during which she finally became disenchanted with Kant's account of freedom.

Ricoeur is by no means alone in his conflation of the Kant lectures with the final volume. All this interpretive and critical attention to a single lecture course on Kant conspires to create the image of a writer whose published work frequently resembled her courses and lectures, and of an incomplete work whose blueprint was sufficiently clear to make this substitution. Yet there is almost no evidence to support this image, and much to suggest that it is a mirage created by our thirst for the final volume. Arendt's readers are unwilling to settle for the constraints of her published works. The result is a kind of miniature "scandal of reason": the hunger for a completed *Life of the Mind* has found no content to sate it, and so many of Arendt's readers accept Beiner's editorial work as a substitution for what Arendt would have written. This acceptance has grown beyond those who read Arendt casually, such that now much of the scholarship devoted to Arendt also places its faith in Beiner's account of judging. As a result, Arendt's critics are much more likely to criticize Arendt for what she might have written than what she actually wrote.

As I will show in chapter four, our faith in Beiner is misplaced: contrary to his claim that "the Kant Lectures reflect the full intended structure of 'Judging'," (Beiner 1982, 131) Arendt insisted that Kant did

not understand freedom or willing, and judging as she imagined it is unavoidably entangled with those capacities. Yet the demand for an Arendtian theory of judging is not a frivolous one. There are problems with the faculties of thinking and willing, problems not with the descriptions Arendt gives but internal to their function, and a subject limited to the faculties Arendt survived to describe would be riddled with despair and hopelessness, not the least for the arbitrary nature of freedom. Solving these problems was to have been the task of judgment, and though Kant alone could not have supplied the needed solutions, but her reading of the problems in Kant's theory certainly helped Arendt formulate her desiderata for judging: not just to judge cases without principles or 'hit the particular without rules,' but to resolve the conflict between thinking which calculates and willing which is incalculable. The mistake Beiner and others have made is the same descent into pure spectatorship that Ricoeur analyzes. Yet as I shall argue, Arendt also refused to supply an account of prospective or practical judgment that could somehow guide us in our decisions about future actions. For a better account of what judging would have entailed for Arendt had she had the opportunity to finish her work, we must turn to her work on Augustine's phenomenological account of desire and love.

III. Love and Saint Augustine

My main argument in this dissertation is that Arendt's account of judgment can be better viewed through the lens of her earliest work on Augustine rather than her later lectures on Kant. What she borrows from Kant are his accounts of beauty and the *sensus communis*, not in an attempt to model an account of political judgment on aesthetics, but rather to model an account of political *community* on formation of aesthetic communities of response. Seeking out, building, and preserving communities of like-minded fellow citizens became for her a necessary condition for political action, one that is grounded in the capacity to make like-minded judgments, rather than the activity of judging itself. I will show that Arendt's critics frequently mistake this role of *homonoia* or the *sensus communis* for judging itself. Thus they treat judgment as the act of a disinterested spectator, rather than a participant, and as a result they find unassailable difficulties in applying the role of the spectator to the task of guiding action.

By the end of the second volume of *The Life of the Mind*, Arendt had presented her audience with a typology of the mental faculties that is radically schizophrenic. In willing, we enact a radical and unforeseeably risky freedom, which results in consequences that thinking cannot foresee. Though her death precluded the systematic account she promised, Arendt mentioned judgment frequently in her published works in ways that foreshadowed a fuller conception. These mentions are diverse, but it has

become common to distinguish her discussions of judgment that treat it retrospectively, as a jury might do, from those that treat it prospectively, as when we say that someone with good judgment will do the right thing. These forward-looking and backward-looking accounts for judgment can also be mapped onto the first-person and third-person perspectives: I judge my own prospective act while judging the other's act only as I see it taking place, as a spectator or in an attempt to reconstruct an event in the past.

Thinking can undercut the will, but it has no power to direct it, while the will offers us acts that are unthinkable until they have been completed. Actors 'know not what they do.' Nothing preserves this sense of willing-as-ignorance more than Arendt's insistence that Augustine's account of the radical metaphysical freedom, the *liberum arbitrium*, is the highest formulation of the Will. While this arbitrary liberty avoids the later attempts to render action explicable and to legislate freedom, the *arbitrium* cannot simply be caprice: for us to recognize the *liberum arbitrium* as a free will and not an aleatory whim, it must include an element of arbitration, a choice. If the Will is simply an organ of unfathomable ingenuity, then there must be some function in the mind that can serve as arbiter.

To these two accounts, Arendt sometimes added a third function, which took on the role of supplying existential justification for our continued existence. Elizabeth Young-Bruehl captured Arendt's lifelong concern with this kind of judging in the title of her biography: *For Love of the World*. Neither thinking nor willing can quite justify its own activity because neither can resolve the basic question, "Why is there something rather than nothing?" so elegantly translated by Albert Camus famous proclamation regarding suicide: "Judging whether life is or is not worth living amounts to answering the fundamental question of philosophy." (Camus 1991, 3) By the end of her life, Arendt had convinced herself that we are doomed to be free, and that political action could not be evaded. Judging, she promised, would give us some sense of how to weather this inevitable fate.

Her early work, especially the first attempt to explain the *vita contemplativa* in *Between Past and Future*, tended to attribute the capacity to be good or act virtuously to judging. These were the same ethical capacities that she would eventually locate squarely within the capacity to think, where she subsumed the capacity to avoid the evil of forgetfulness and inconsistency under the capacity to interrogate oneself and hold oneself to the demands of self-consistency that Arendt locates squarely in thinking two-in-one, by which we preserve the capacity to cohabitate with ourselves. It was only in *The Life of the Mind* that she made the systematic connections between thinking, metaphysics, and Adolf

Eichmann's thoughtlessness, which placed many of her ascriptions to judgment in *Between Past and Future* in question.

If thinking alone addresses meanings and demands goodness, what role does judging play? In the brief mentions it receives in *Introduction into Politics*, good judgment is addressed as a brand of prudence, *phronesis*, or simple strategic cunning: an insight into the political world akin to the artist's deft touch with wood or metal. Like the artist, the prudent strategist works on the world using her superior feel for the material. The statesman, like the artist, makes the world, and like the artist he is most often bereft of goodness when his work succeeds.

Arendt may have never written an ethics, but she regularly wrote about normative theory and the related problems of justice, institutional design, and political responsibility, almost always within the context of a particular kind of loss or crisis, the 'crises of the republic' or what she diagnosed as a modern refusal to judge or choose sides or friends. The closest she came to moral reflection under that name were her lectures in the mid-sixties, which were structured as addresses to moral philosophy as an outsider: "Some Questions for Moral Philosophy," "Thinking *and* Moral Considerations." Even the 1966 University of Chicago course "Basic Moral Propositions," engaged with moral foundations critically, reprising much of the material from "Some Questions" while adding a more substantial engagement with the history of moral philosophy, which she approached as an attempt to bridge "the fearful distance that separates us from our beginnings," with Nietzsche as a guide, an attempt she would later reject as overly speculative. (Arendt 1975, 260)

In her 1965 lectures, "Some Questions for Moral Philosophy," Arendt suggested that she doubted whether judging was even an independent mental activity:

"All our descriptions [of the Will]... actually apply only to the will insofar as it prompts into action, and not to its arbitrating function. For this latter function is in fact the same as judgment; the will is called upon to judge between different and opposite propositions, and whether this faculty of judgment, one of the most mysterious faculties of the human mind, should be said to be the will or reason or perhaps a third mental capacity, is at least an open question." (Arendt 1965, 131)

If judging is a mere subset of the Will's freedom, choosing between moral propositions as the practical reason chooses amongst hypothetical imperatives to discover those can be rendered categorically, then Arendt's account of the judgment is basically Kantian. The Will's freedom must still be guided by some

prior decision, which transcends desire: in order to be free we must obey this call of conscience. In that lecture, Arendt levels the familiar accusation that Kant's moral law papers over the fact of freedom when he "introduced the form of the imperative and brought back the concept of obedience, through a back door as it were." At the very moment when Kant acknowledges the difference between the laws of nature and the laws of freedom, he equates them again by asserting the truth of duties analogous to the truths of mathematics. In this respect, Arendt accuses Kant of conflating the theoretic and practical uses of reason, whereby moral reasoning is like geometry, performed with the same tools but one additional postulate: freedom. As we have seen, she is concerned, like Kant but apparently at odds with him, to ground thinking about ethical and moral problems in a mental activity that is as much appreciative as it is calculative.

At the conclusion of the first volume of the *Life of the Mind*, Arendt conceived of judging as a subsidiary of the Will: in the postscript to "Thinking," she wrote that the second volume would encompass both "Willing" and "Judging." Yet by the time her second volume wends to a close, having taken almost the same number of pages as the first, she has done little to account for that third capacity except to introduce the problematic of freedom, "that we are *doomed* to be free... whether we like freedom or abhor its arbitrariness, are 'pleased' with it or prefer to escape...." In Judging, she promises an analysis of "what is involved in our pleasures and displeasures." (Arendt 1978, II, 217) Judging, then, must supply something more than simply a method for arbitrating the otherwise arbitrary function of the Will: it must justify the Will, and counsel us against the unpleasant destiny of overwhelming duties. Judging, then, must counsel us against the avoidances that we who are doomed to freedom often employ: quietism, despair, and suicide. As we normally understand it, the act of judging does not itself supply motivation or counsel, but here Arendt does follow Kant insofar as she conceives of the object of a judgment as the fittingness and beauty of the acts and objects that inhabit our world. Judging must show us the beauty of world and of action. On this view, judging is the activity by which we come to love the world.

In that first volume's postscript, Arendt wrote: "In Kant, it is reason with its 'regulative ideas' that comes to the help of judgment, but if the faculty is separate from other faculties of the mind, then we shall have to ascribe to it its own *modus operandi*, its own way of preceding." (Arendt 1978, I, 216) Taking our direction from these lines, our task would be to describe the activity of judging without grounding it in thinking or in thinking's claim to access the true or the good, those invisibles to which the thinker gains

access by withdrawing from the visible and active world. The judge must do his work *within* the world, *in media res*, and vulnerable to consequences.

By the end of the second volume of the *Life of the Mind*, Arendt's thoughts were taking on an increasingly existentialist tenor: she seemed to be returning to her roots in *Existenz Philosophie* while simultaneously reviewing her dissertation on Augustine. Her final published lines, suggesting that "we are *doomed* to be free," resound with Jean-Paul Sartre's humanist existentialism: "Man is condemned to be free. Condemned, because he did not create himself, yet is nevertheless at liberty, and from the moment that he is thrown into this world he is responsible for everything he does." (Sartre, et al. 2007, 29) This is a surprising turn for Arendt: natality, the capacity to begin anew, had a positive valence throughout her work. For Arendt, disasters like imperial massacre or totalitarian genocide are always the results of suppressed natality, generally through the destruction of the public world required for action. Developing a 'liking' for our freedom, like the Nietzschean demand for levity and cheerfulness in the face of nihilism, is a strange task to assign to judging. Yet after a lifetime of praise for freedom, she suggests that it may also have a tragic element in need of exploration.

In several of her Kant lectures, Arendt quoted the Kantian solution to this problem: "The fact that man is affected by the sheer beauty of nature proves that he is made for and fits in this world." [Reflections on Logic, quoted at (Arendt 1992, 30)] Disinterested delight, unlike pathological pleasure can serve as a justification for existence. In terms that go back to Augustine, when our existence becomes a question for us who exist, we can only answer because we are simultaneously the question's asker, the subject of the question, and the judge of all answers. Insofar as it proves our fit with the world, beauty answers the question "Why?" affirmatively, and thus as a non sequitur. When asked, "Why do I exist as a free being in this world?" it responds affirmatively: "Yes." It doesn't give the purposive answer, the "For the sake of..." response we seek. Yet because the beautiful is to be found both in nature and in the genius's formal success at representing nature, we are reminded that this question is ultimately indistinguishable from the anthropological question, "What is man?" From one perspective, man is an animal, a natural species; from another perspective, man is a free and responsible agent; from a third, he exists within a common world with other men, and his deeds and speech are only rendered communicable through the capacity of every individual for reason and judgment. Yet these perspectives are views on the same thing. Thus, it is as a member of species that man becomes a member of the *sensus communis*, and as the product of nature's laws that man comes to understand himself as free. Arendt's account of judging would certainly have wrangled with this trinity of viewpoints and the paradoxes they engender.

Hannah Arendt's reputation is largely based on the texts she wrote after settling in the United States in 1941, especially *Origins of Totalitarianism* and *The Human Condition*. The work she did before the Holocaust is often ignored. Some elements of her work on Jewish identity, her book *Rahel Varnhagen: The Life of a Jewish Woman* and her newspaper articles for the German-Jewish newspaper *Der Aufbau* on the Jewish Question and anti-Semitism, have received attention within the Jewish community and as a precursor to her analysis of the relationship between racism and totalitarianism. Except for the efforts of Joanna Scott and Judith Stark to bring it to light and their excellent review essays accompanying it, her doctoral dissertation on Augustine, written for Karl Jaspers, has gone largely dismissed and undiscussed, even among the relatively small community of Arendt scholars. Yet during the especially fertile time when she was working on her books *On Revolution* and *Eichmann in Jerusalem*, as well as the essays that formed *Between Past and Future* and *Men in Dark Times*, Arendt was also attempting to edit an English translation of the dissertation, a task that she never completed.

In this text, *Love and Saint Augustine*, Arendt offers a reading of the problem of love and desire in Augustine's thought and its role in the movement from the sinner's existential solitude to a community of believers. As many of her early critics point out, she treats Augustine like a philosopher, not a theologian, and thus ignores his role as North African Bishop, Church Father, and polemicist. Augustine, Arendt argues, always allows parallel trains of thought to run simultaneously through his texts. So at the conclusion of each chapter of the dissertation, Arendt offers a parallel to Augustine's "I have become a question to myself." She asks, "how [can] the person in God's presence, isolated from all things mundane... be at all interested in his neighbor"? (Arendt 1996, 7) The textual and phenomenological concerns to which the dissertation is ostensibly devoted are overshadowed by the themes of charity, forgiveness, and communal inclusion. Arendt seeks an account of how an isolated desiring subject escapes her solitude to join in solidarity with her fellows.

For the Arendt of *The Life of the Mind*, Augustine's account of the theological endpoints of the phenomenology of desire could be understood as metaphysical, at best an honest metaphor misapplied to other phenomena to justify a retreat into pure contemplation and withdrawal from the world. But in *Love and Saint Augustine*, she is doing both textual analysis and original phenomenological research, attempting to work out both Augustine's meaning and the internal logic that drives him from his experience of the world to his conclusions and that can be found, in some form, in our own experience as well. In this, she asks the standard philosophical questions when confronted with the Augustine's *Confessions*: what is it about this young rhetorical teacher's encompassing love of the world that leads

him to such ascetic conclusions? And why didn't his ascetic conclusions convince him to retreat from the governance of the Church?

As I shall argue, however, she also comes the closest in this text to articulating a theory about the fundamental attachments required for political action. In chastising Augustine for ignoring the crucial ties to the world we inhabit, and trying to mold his asceticism into a love for the world that is not filtered solely through the love of God, she was already beginning to articulate the institutional and material conditions of judging.

Throughout this dissertation, I will refer to the first postscript's promise of a unique 'modus operandi' for judgment as an 'actor theory' of judging, and the second volume's conclusion that judging requires only an analysis of 'pleasures and displeasures' as the 'aesthetic' account of judging. Against those who assume that these accounts are necessarily at odds, I will show that they need not be incompatible, though this compatibility requires us to rethink the role of judging in guiding action. However, neither "actor" nor "aesthetic" theories can be found in the 'spectator theory' of judging advocated by Ronald Beiner. I hope to demonstrate that Arendt's work could not have been complete without an aesthetic theory of judging, and in so doing correct recent commentators who see judging as the application of a political aesthetic or, sometimes, as the production of a political imaginary. As for those who follow Ronald Beiner in conflating her work on judgment with world-spectator from Kant's *Critique of Judgment*, I will show how both the active and the aesthetic accounts of judgment hamstring judging in its pretension to practical reason as well as its hopes for teleological unification in the judgment of Nature. The free will's requirements of novelty and plurality demand that Arendt's judge recuse herself and that a less systematic judge take her place.

Chapter 1

From Metaphysics to Metaphor

“We have forgotten that every human being has a need to think, not to think abstractly, not to answer the ultimate questions of god, immortality, and freedom, nothing but to think while he is living. And he does it constantly. (Hill 1979, 303)

In this chapter, I will develop answers to two questions. First, why does Arendt hold that thinking is at odds with politics? Second, if thinking is antipolitical, how can we make sense of her early claims that thoughtlessness is the root of political evil? I will argue that she locates the tension between philosophy and politics in the difference between the Enlightenment’s quest for ‘truth’ and the scientific demand for accuracy or ‘getting it right.’ I will start by describing her theory of political deception in the context of “The Pentagon Papers.” Then I will continue her account of Adolph Eichmann’s trial to show her diagnosis of his thoughtlessness and her subsequent reasons for optimism about the role of thinking in politics. I will turn to her explicit attempts to work out the role of the faculty of thinking in the life of the mind. I will illustrate this tension in Arendt’s account of plurality as the fundamental prerequisite for friendship, showing how it threatens to transform Isaiah Berlin’s value pluralism into a value maximalism compatible with Roger Scruton’s account of ‘liberal intolerance of intolerance.’

I. Truth and Lying in Politics

***“He who is not sure of his memory should not undertake the trade of lying.”
(Montaigne 1958, Book I, Chapter 9)***

In this section, I will address two formulations of Arendt’s thinking on the problem of honesty and deception in politics: the first comes from her longer, thematic essay, “Truth and Politics,” and the second from an occasional piece devoted to the release of the Pentagon Papers: “Lying in Politics.” The first regards an ambiguous form of political deception that twists facts, and the second focuses on a novel form of lying that deceives at the level of analogy or metaphor. As I will show, Arendt’s general attitude towards political deception is neutral, even laudatory, because she equates speech that is counter to reality with action that makes the present different from the past. However, she has serious

reservations about institutional dissembling that attempts to fool *itself* by manipulating both facts and the models by which we understand those facts. The potential for disaster grows when even the experts charged with keeping the state's secrets have hidden the truth from themselves through arcane and incomprehensible "formulas, preferably expressed in a pseudo-mathematical language. (Arendt 1972, 11) The worst thing we can say of a large military bureaucracy equipped with tremendous destructive power is that 'they know not what they do:' here we will dwell on what is done in those uncomprehending moments.

Arendt holds that the most dangerous thing about the practice of philosophy is that it might discover undeniable truths. From the perspective of political disagreements, this very veracity is a kind of coercion, which threatens to extinguish the possibility of agonistic politics by relegating opponents to monotonous agreement or irrationality. Thus, the philosopher shares with the tyrant her desire to replace conflicting opinions with a single rule. Insofar as they differ, it is the philosopher who appears more tyrannical, since as she seeks an *eternal* truth and thus hopes to rule beyond her death.

"All truths... are opposed to opinion in their mode of asserting validity. Truth carries within itself an element of coercion, and the frequently tyrannical tendencies so deplorably obvious among professional truth-tellers may be caused by a failing of character than by the strain of habitually living under a kind of compulsion." (Arendt 1968, 240)

The danger that lies in truth-claims is that we might lose our capacity for action. Chained by certainty, unified in truth, we would lose the power inherent in plurality. Truth claims rooted in mathematical or logical tautologies may not bear this risk, but they arise whenever a philosopher proceeds beyond the purely rational into that amalgam of mathematical modeling, empirical research, and normative prescriptions that have substantial impacts on policy. The most dangerous insights are those that show clear tendencies and structural consistencies over time, since they suggest that political and economic life may in fact be subject to the same kinds of truth-tracking certainty as mathematical or tautological claims. Thus the social sciences have become the principle site of debates over freedom, risk, and determinacy, while purporting only to describe and understand their subject matter.

Arendt maintains that the nature of action is to introduce novelty into the world. If this is true, then we must often accomplish novelty through a curious form of negation: well aware of the facts of the world we inhabit, the actor attempts to enact a state of affairs different from the one before her. The same mental faculty that makes this resistance to given datum of experience possible fuels the deception.

Arendt writes:

“In order to make room for one’s own action, something that was there before must be removed or destroyed, and things as they were before are changed. [We] imagine that things might as well be different from what they actually are. In other words, the deliberate denial of factual truth—the ability to lie—and the capacity to change facts—the ability to act—are interconnected; they owe their existence to the same source: imagination.”(Arendt 1972, 13)

Of course, lying is not the only kind of action, because the lie leaves the empirical world unchanged while action changes or creates the facts themselves: “[I]t is not enough to kill [Trotsky] and eliminate his name from all Russian records so long as one cannot kill all his contemporaries and wield power over the libraries and archives of all countries of the earth.”(Arendt 1972, 13) Even this sort of state deception changes the world. Trotsky is assassinated and records are changed, but because he did live and made a mark on the world, it is impossible for even a global superpower to erase every last trace as if he had never been. The same cannot be said for an Argentinean peasant family, which is why sometimes a lie is a very effective kind of action. Even given these limitations, the Russians were quite capable of removing Trotsky’s relevance from internal political discussions while threatening contemporary dissidents with this same elision.

For Arendt, the distinction between lying and action occurs at the temporal level. Minor details and little-known characters are more easily edited out of a historical narrative than major ones, but the possibility exists that an unprecedented conspiratorial organization with control over a broad spectrum of archival material might manage to efface a name or event from the historical record. The past is only available through its artifacts, whose durability is variable, and increasingly ersatz and disposable. On the other hand, we do not, and cannot, lie about the future, even though we sometimes enunciate unrealistic expectations and offer self-serving prophecies. The attempt to make a future different from the past is essential to action, yet even the imagination would put a limit on the capacity of action if we had to predict the consequences of an act before it occurred. For its motivation, action requires memory to produce an alternative picture of the future, but this image will not depict the future it achieves. Our capacity to see this new state of affairs when it happens requires something beyond imagination: it requires a radical openness to world.

For Arendt, this capacity to experience novelty when it occurs is what the most advanced forms of deception tend to destroy. Between the historical past and the uncertain future, the ‘present’ span serves as an ambiguous region where actions occur and have not yet become permanent features of the world. Here and now, deception can still substitute itself for fact and go undetected. The most popular

manifestation of this option is the fantasy of the perfect crime: an act without an agent, without consequences or responsibility. When a murderer hides the evidence of her crime or a genocidal government cremates the corpses of its victims, they hope to have achieved the results of an action without allowing themselves to appear as the actor. This kind of concealment is at odds with the publicity of the space of appearance that Arendt maintained is the condition of possibility for action. As we shall see, this paradoxical hope becomes the paradigm of state action in the administrative state: “The difference between the traditional lie and the modern lie will more often than not amount to the differences between hiding and destroying.”(Arendt 1968, 253)

After the release of the Pentagon Papers (“History of U.S. Decision-Making Process on Vietnam Policy,”) Arendt began to address a radically new form of government deception: propagandists, who “lied not so much for their country... as for its ‘image’... were eager to discover *laws* by which to explain and predict political and historical facts as though they were necessary, and thus reliable, as the physicists once believed natural phenomena to be.”(Arendt 1972, 11) These new liars, the ‘problem solvers,’ attacked social and political problems as if human plurality and novelty could be managed the way the probability of a random natural event can be measured stochastically, its features defined along a probabilistic distribution curve.

Some of the problems Arendt identifies in the application of actuarial models to military objectives can be attributed to ‘growing pains’ in the nascent science of violence: the accuracy of casualty calculations, for instance, have increased dramatically in the last forty years. Other problems with these approaches to public reason-giving are more deeply rooted in the combination of several roles: these ‘problem solvers’ juggled tactics, image-management, and ‘framing’ in an attempt to split the difference between strategist, publicist, and diplomat.

On the one hand, they became so protective of the American ‘image’ abroad, so concerned with the perceptions of Soviet and Chinese covert intelligence and political leadership, that they preferred to remain upbeat and optimistic in their evaluations rather than tell themselves the truth of the situation in Vietnam. Their self-deception was ‘justified’ by an attempt to deceive the enemy, but had the problem solvers listened to their own intelligence they would have realized that their enemies were not Chinese communists but Vietnamese peasants⁵, and because of this they did not care about appearances and could not withdraw from the war which was being fought in their own country.

On the other hand, their self-deception did not stop at factual misrepresentation, but extended to an equivocation among ‘frames,’ or models aimed at deceiving the older generation of strategists. The

generation of military thinkers who had fought in World War II and Korea were familiar with traditional forms of propaganda, but were unprepared for the usage of advertising and psychological warfare which required dissembling at the level of analogy and the twisting of metaphors. They drew on their training and experience in fixed, predictable ways, and they expected that their fellow military bureaucrats would offer analogies helpfully rather than with the intent to mislead. Thus, they were manipulated by their younger colleagues' adeptness at shifting from skewed facts to misapplied models.

"[Their less complicated approach still succeeded in]...shielding [them] from the impact of reality and in ruining the mind's capacity for judgment and for learning. These men prided themselves on having learned from the past.... They were unable to confront reality on its own terms because they had always some parallels in mind that 'helped' them to understand these terms."
(Arendt 1972, 40)

When the 'problem solvers' wished to manipulate these older strategists, they had only to suggest analogies from the last generation's experience: Stalinism, appeasement, etc., and this experience was always broad enough to supply the analogy needed. The accuracy of the model was not questioned, because only dependable facts could falsify the model, and facts could not be trusted in wartime.

Thus the combination of misrepresentation of facts with the misapplication of principles led to bad data and bad judgments, neither of which could be corrected by dispute or reflection because neither was available for inspection and reflection. The price of self-propagandizing is a catastrophe, but the tally was still calculated in lives lost rather than worlds destroyed. For Arendt, the greater calamity would have been a permanent loss of veracity, which the Pentagon Papers themselves helped to forestall. The leakage of these documents allowed the American public to rethink the design of their militant institutions, and this was only possible because the same problem solvers who had been so committed to deception were ultimately still desirous of the truth.

It would have been far worse if the imagistic concerns of the problem-solvers had prevented this reflective turn. In that case, the risk would be that our sense of veracity, of some correspondence between propositions and facts, would be lost. The victory of skepticism in the face of propaganda is not that lies are taken for truth, but that truth is no longer possible. In that case, "the sense by which we take our bearings in the real world—and the category of truth vs. falsehood is among the mental means to this end—is being destroyed." (Arendt 1968, 257) This was the case in Germany under totalitarian rule: the destruction of the social world, the horizontal connections between citizens, destroyed the possibility of veracity. Arendt argued that it was this loss of veracity that made the genocide possible. In

that sense, truthfulness is a precondition for the world, and thought, which concerns itself with truth, must wrestle with the world and cannot sustain an otherworldly exploration of metaphysics.

II. **“Officialese is my language”: Euphemism in Eichmann**

In this section, I will discuss Arendt’s interpretation of the Eichmann trial and her conclusions about the role of institutional forces in enabling the genocide. I will focus on the ‘language rules’ that the Nazi regime used to short circuit moral judgments and the mental weaknesses that made some, like Eichmann, more susceptible than others. Using this analysis, I will conclude that the capacity to preserve correspondences between words and events must be distinguished from the capacity to maintain consistency across propositions or across actions. This facultative distinction will inform the categorical distinction that Arendt makes between thought and judgment.

Arendt begins her analysis of Adolph Eichmann’s trial with a long commentary on the architectural design of the space in which it occurred. Before she says anything about the accused or the victims, the crimes or the evidence, she carefully sets the stage for the trial she is reporting. In doing so, she presents us with a space designed to make something appear, and asks us to consider whether it is likely to present us with what we intend to see: “Whoever planned this auditorium... had a theater in mind, complete with orchestra and gallery, with proscenium and stage, and with side doors for the actor’s entrance.” It is, she goes on to write, “not a bad place for [a] show trial.” (Arendt 1963, 4) Arendt worried that the publicity of the trial would distract the participants from the effort of attending to the truth or innocence of the charges brought against the singular individual whose actions were supposed to be made to appear. Instead, she feared, the entire German Nation would be put on trial, and neither the truth of the accusations nor an adequate understanding of the genocide would be achieved. Arendt’s suspicions of the authenticity of the trial were mostly allayed by the behavior of the judges, who she complimented for their austere commitment to justice.

The trial established a number of facts. Eichmann did not engineer the genocide nor did he have the power to stop it. (Arendt 1963, 116-7) He played an important but not irreplaceable role: he organized the bureaucratic details of the transportation of prisoners to the camps and their treatment there. He was a cog in the bureaucratic machine, but Eichmann knew what he was doing. He had first-hand experience of the mass murders being perpetrated, and thus he could not claim that the goal of ethnic cleansing was being sought only through expulsion and concentration of Jews. This knowledge came to him through visits to Bergen-Belsen, Treblinka, and Minsk, where he witnessed mass graves, soldiers shooting women and children en masse, and the preparations for the gas chambers. (Arendt 1963, 86-9)

The strangest discovery of the trial, however, was that Eichmann did not hate Jews. (Arendt 1963, 137) He did not act out of malice, even though he spent his days administering the workings of the genocide. This fact is the most difficult to interpret, especially since it seems that Eichmann's attitude was not particularly unusual. Something in his milieu made it possible for him and his conationalists to dutifully lend themselves to this systematic slaughter. Arendt's previous work in *Origins of Totalitarianism* had prepared her to discover that the Germans' isolation in the face of the awesome and intrusive power of the totalitarian state left them unable to effectively resist or to act except in disaffected obedience. Presented with an actor, an agent who seemed to have had the luxury of reflection and even a little understanding of moral theory, she was forced to amend this structural model. "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." (Arendt 1963, 54) Eichmann was not a monster; this fact was plain. His failings were ordinary, his ambitions shortsighted. He was a muddleheaded middle-manager, not stupid but thoughtless, not malicious but ambitious and obedient, not even incompetent, but certainly forgetful.

There are two ways to frame the question of Eichmann's guilt. The first depends on the legal notion of intentional action, the *mens rea* or guilty mind. Did he know what he was doing? The second asks how anyone could knowingly commit such acts: what kind of person could knowingly act to bring about the murder of millions? The Israeli judges used the first model, and Arendt approved of that usage in the juridical space of the courtroom. In order to answer the question of *mens rea*, the court only had to determine whether the knowledge of the murderous consequences of the 'final solution' was ever present in the same man who enacted them. The answer to this question is clearly "Yes." Eichmann was present at the Wannsee Conference in 1942, where the details of the genocide were coordinated throughout the German Civil Service. He was soothed by the absence of dissent, and indeed by the eager cooperation, that he received from almost all of his fellow bureaucrats. (Arendt, Eichmann in Jerusalem 1963, 116) Thus he knew, in theory, the nature of the final solution.

By all accounts, he first saw it practiced in Chelmno in 1944, when he observed the usage of a mobile gas van. There, he only saw naked Jews marched into a truck, and then watched as their corpses were hurled into a ditch for disposal. In between these sights, however, he heard the screams of their deaths. According to him, these sounds alone were sufficient to cause him pause: "there I got enough. I was finished.... I had to disappear." (Arendt 1963, 88) This experience was quickly compounded with others, such as his observations of marksmen in Minsk and Lwów practicing their aim on the heads of women

and children in ditches, and finally a trip to Treblinka to see the gas chambers in action. These experiences disgusted and disappointed Eichmann, but each time he returned to report his findings to his superiors and continue his work.

So he was, at times, well acquainted with the results of his labors, and this was sufficient to satisfy the standards of criminal culpability. Arendt, however, could not be satisfied until she could understand how an otherwise rational man could live with that disgust. In attempting to identify the novel element in the administrative genocide, she fought to preserve the distinction between willful ignorance, disbelieving support, grudging participation, and active engagement. She had already noted the power of bureaucracies to conceal agency and obfuscate responsibility, and she wanted to model these distinctions on the prerequisites of guilt being applied to Eichmann. Like the court itself, she wished to determine whether justice would be served by convicting him of genocide, and so she focused on identifying the elements of criminal action. When she discovered the knowing, voluntary action which made Eichmann a conspirator in mass murder, however, she became even more interested in the problem of his ordinariness. What, if anything, distinguishes us from this boring and evil man? How could anyone knowingly act to achieve ends he knew to be wrong?

Kant's view of pathological inclinations did not seem to apply: Eichmann had not allowed hatred or aggression to overwhelm his rational capacities.⁶ He had to continually work to suppress his disgust and his sympathies for the victims of his actions. This suppression was facilitated by a particular defect of Eichmann's mental character: he was forgetful, and when his memory failed him he was thrown back on the clichés and idle replies of the Nazi era. This otherwise minor defect made him the perfect vehicle for the coded speech and language games that were proliferating at the time.

Arendt frequently comments that Eichmann was absent-minded. She points out that "the disorganized, rambling notes he made... show his utter ignorance of everything that was not directly, technically and bureaucratically, connected with his job, and also show an extraordinarily faulty memory." (Arendt 1963, 54) Despite his involvement with Zionists in an unauthorized transfer of hundreds of thousands of Jews from the camps to Palestine, Eichmann was unable to muster the details that would have provided exculpatory evidence: "Eichmann's trouble was that he remembered none of the facts that might have supported, however faintly, his incredible story... [his] memory functioned only in respect to things that had had a direct bearing on his career." (Arendt 1963, 60-2) Yet this story was bolstered by contemporaneous scholarship, namely the 1954 book *The Secret Roads*, which was written by Jon and David Kimche, neither of whom was sympathetic to Eichmann's exculpatory efforts.

The most famous example of Eichmann's faulty memory was his own execution, in which he managed to suppress the knowledge that his end was imminent. "He began by stating emphatically... that he was no Christian and did not believe in life after death. He then proceeded: 'After a short while, gentlemen, *we shall all meet again...*' In the face of death, he had found the cliché used in funeral oratory. Under the gallows, his memory played him the last trick; he was 'elated' and he forgot that this was his own funeral." (Arendt 1963, 252) In the moment of his death, he managed to hold two contradictory propositions in mind nearly simultaneously: in the space of moments he became both a skeptic and a dogmatist, and this literal duplicity managed to carry him past any accounting for the contradiction. This is the essence of Eichmann's thoughtlessness: his constitutional failure of accountability.

The original articles, and the subsequent book, bore this problem in their subtitle: "A Report on the Banality of Evil." This departure from her earlier account of 'radical evil' in *The Origins of Totalitarianism*, with its Kantian overtones, is striking. However, it suited Arendt's interpretation of Eichmann: to her it seemed as if the deaths of ten million people had been caused by this bumbling functionary and the growing class of men like him. "German society of eighty million people had been shielded against reality and factuality by exactly the same means, the same self-deception, lies, and stupidity that had now become ingrained in Eichmann's mentality." (Arendt 1963, 52) The problem in Germany was that these dutiful but unimaginative men were put to work managing the logistics of genocide, and that nothing in the regime served to confront them with their errors.

In a 1963 letter to Gershom Scholem, Arendt wrote that the evil acts committed by Adolph Eichmann and his kin were 'thought-defying.' She had already begun to articulate the roots of totalitarian evil in a Kantian manner, and found the equation of phenomenal existence and pathological inclinations wanting. Eichmann's own misreading of Kant had led him further in the direction of thoughtless obedience, and though this was no indictment of Kantian moral philosophy, it suggested that practical reason alone could not have saved the Jews. Rather than plumbing the cunning depths of a profound evil, Arendt found herself faced with obliviousness. Yet moral incompetence supplies no insights: "[T]hought 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.' Only the good has depth and can be radical." (Arendt 2000, 396)

What, then, made the genocide possible? Though she rejected the grand narratives of collective good and historically determined intolerance, Arendt pointed to a number of features specific to totalitarianism that are particularly inimical to thought. The key lay in certain deceptive turns of phrase

that were adopted throughout the administration to conceal the genocide. These codes and shibboleths served to conceal the logistics of the ethnic cleansing, concentration camps, and massacres under the guise of other kinds of plans: deportation of undesirable aliens, medical quarantines, and mercy euthanasia of the terminally and painfully ill. Arendt wrote:

“All correspondence referring to the matter was subject to rigid ‘language rules,’ and except in the reports of the Einsatzgruppen, it is rare to find documents in which such bald words as ‘extermination,’ ‘liquidation,’ or ‘killing’ occur.... Only among themselves could the ‘bearers of secrets’ talk in uncoded language.... [The language rules] proved of enormous help in the maintenance of order and sanity in the various widely diversified services whose cooperation was essential in this matter. Moreover, the very term ‘language rule’ (Sprachregelung) was itself a code name; it meant what in ordinary language would be called a lie. [...] The net effect of this language system was not to keep these people ignorant of what they were doing, but to prevent them from equating it with their old, ‘normal’ knowledge of murder and lies. Eichmann’s great susceptibility to catch word and stock phrases, combined with his incapacity for ordinary speech, made him, of course, an ideal subject for ‘language rules.’” (Arendt 1963, 85-6)

These institutional language rules had the effect of short circuiting judgments. Where someone could normally consult their conscience, their common sense, and arrive at a reasonable conclusion, this obvious inconsistency was obscured by an extra step of translation. This additional operation becomes all the more difficult when one must keep it secret. Thus, exchanging ‘final solution’ for ‘execution’ is not itself a problem. This phrase has become common place in description of the Nazi’s genocidal policies, and most English speakers understand the phrase’s euphemistic character. However, when using a nonstandard synonym with the intention of deceiving others, the deceiver must not betray the new signification by using it too synonymously with its equivalent. Instead, he must conceal the operation even from himself, for the most part treating the code as if it actually indicated what common usage would suggest.

Consider this example, which translates this convolution into a similar complication of numbers: base twelve calculations were once common, and are built into the British imperial measurements. There are twelve inches to a foot, twelve ounces to a troy pound, and twelve old pence to a shilling. In base twelve, what we normally think of as 27 can be written 23_{12} . The reader can confirm this by substituting the symbols α and β for ten and eleven, such that counting would proceed: 8, 9, α , β , 10. In speech, this

sounds the same as the decimal system: “eight, nine, ten, eleven, twelve.” Decimal 22 is written $1\alpha_{12}$ and said “a dozen and ten.” In duodecimal, $\alpha 0_{12}$ would be ten dozen and 100_{12} would be one gross.

Such an operation is sufficient for small numbers, but harder to comprehend at larger magnitudes. In such a system, most people might be able to do a quick conversion in their heads when asked the sum of β times β ($\beta_{12} \times \beta_{12}$). They will likely begin by translating β into decimal 11, squaring it, and then attempting to translate 121 into duodecimal through addition. (The answer is $\alpha 1$: eleven dozen and one.) Even mathematically-talented amateurs will quickly take an expert’s word if she told them that 3423054_{12} is the equivalent of decimal ten million. English duodecimal systems do not even contain a vocabulary to express such a figure non-numerically, because the positional notation system does not have designators for more than the first three digits.

Yet what if the expert lied? What if the expert was attempting to falsify something important, like the number of people killed by the Nazi regime, and used this ‘number game’ to conceal an accounting error? What if all the other base-twelve experts were co-opted or silenced on the matter? Of course, this example has something in common with the Orwellian “ $2 + 2 = 5$,” but it is not quite the same thing. In 1984, Winston’s autonomous judgment was destroyed through torture, while a citizen blinded by duodecimal deceptions might be able to live the majority of his life without any conception of the errors in his calculations.

The question remains whether moral calculations can be subject to the same sort of errors. Moreover, this kind of moral subversion is much more easily accomplished than the torturous brainwashing fictionalized by George Orwell. In this context, moral judgments become like numerical calculations using a duodecimal system. Recognizing that his administrative duties as manager of logistics for the ‘final solution’ made him a mass murderer was as difficult for Eichmann as it is for an ordinary person to translate one million into base twelve.

To assert that moral judgments are subject to the same kinds of mistakes in tabulation that might trip an accountant deprived of his calculator is to attenuate what we mean by morality. It requires us to accept the premise that moral reasoning can proceed in a variety of different normative vocabularies, just as mathematical reasoning can adopt any system of numeration desired. This is not the same as moral skepticism: like $2 + 2 = 4$, there are a number of moral cases that we can use to test the accuracy of a moral system. For instance, our experience tells us that taking the lives of our fellow citizens must be wrong under every viable moral theory, and even Eichmann had pangs of conscience when he saw the

murders first hand. Still, to accept this sort of moral pluralism is to cede the privileged space of moral certainty to the experimental skepticism that characterizes factual inquiries.

Having granted that there are multiple moral theories available to the moral agent, it may still be the case that a particular agent is competent in a particular brand of calculation. Yet in some situations, agents can be required to use unfamiliar jargon. This is certainly the case in the administrative state, where bureaucracies must translate general legislative directives, judicial decisions, and the Executive's policy goals into a normative framework applicable to a plural population. This is the position Eichmann occupied: he was the desk murderer, who accomplished his evil acts in offices and conference rooms, reports and forms, tallies and bills of lading. What he lacked was the capacity to think about what he was doing.

III. **Thinking as Withdrawal**

In this section, I will examine Arendt's concept of the activity of thinking, with special attention to its procedures, content, objectives, and limitations. Since Arendt worried that thoughtlessness was at the root of the Nazis' crimes, she suspected that a proper exploration of thought might supply a solution to the newly inaugurated problem of genocidal evil. As a result, she launched an exploration of thought that took on both the experience of contemplation and the traditional accounts of its activity.

Though Arendt began her intellectual career as an existential phenomenologist, she declines to elaborate her own theory of perception. Implicitly, she takes our encounter with the world to begin with the world, and not a particular object in that world. As she writes in her first attempt to describe the *vita contemplativa*: "[Facts] must first be picked out of a chaos of sheer happenings (and the principles of choice are surely not factual data) and then be fitted into a story that can be told only in a certain perspective, which has nothing to do with the original occurrence." (Arendt 1968, 238) The disorder of phenomena must be ordered even before we can encounter them, and Arendt was content to begin where she found herself, in an ordered world where experience was already endowed with sense. This raises a number of questions about the cultivation of sensibility, which she addressed historically and institutionally in her essays on authority and education in *Between Past and Future*. I will explore this problem further in chapters four and five.

For Arendt, the phenomenological basis of thinking lies in the withdrawal from experience into what Arendt calls invisibility. Arendt describes the fundamental movement of thought as a withdrawal from given appearances. The world gives us phenomena, both visual and otherwise; it presses us with its

sensational gifts until this generosity threatens to overwhelm us. In its withdrawal, thinking encounters invisible aspects of its now-absent experiences. These 'invisibles' strike the thinker as further appearances, beyond or on the far side of appearance.

When we think, Arendt suggested, we focus on re-imagined appearances preserved by our memory. Reflection on this process reveals a double movement: from sensation to image, and from image to thought. "[T]he thought-object is different from the image, as the image is different from the visible sense-object whose mere representation it is." (Arendt 1978, I, 77) Arendt borrows her account of this process from Augustine: first, "sense-perception" gives way before an "image that re-presents it." (Arendt 1978, I, 77) Memory holds this image in abeyance until thought calls upon it to provide this image, and here "the mere image of what was once real" is separated from "the deliberately remembered object." In this bifurcated form, memories come to us either as abstractions and impressions of the experience, or as stored presentations of a past moment. Arendt here splits sensory data from the *imago*, and asserts that we develop concepts or ideas of the appearance from the *imago*. She gives a similar account in her reading of Kant's "Schematism," where she argues that intuitions and concepts are naturally combined in any particular encounter with an object through the faculty of imagination. The schema "table" is available to anyone who has encountered at least one table, and can even be relayed verbally or abstractly, through description or a quick sketch. (Arendt 1992, 82-3)

The thinker encounters past appearances anew, re-presented through memory, altered, manipulated, combined, and dismantled until they offer insights that the thinker calls by many names: category, cause, or concept. Some of these names actually obscure the phenomena they describe. The thinker may develop the distinction between appearances and invisibles into metaphysical systems. She may encounter her own activity and posit a subject or a soul. Many of these efforts to cement the movement of thought into certainty are more or less obviously flawed. "[O]ur tradition of philosophy has transformed the base from which something rises into the cause that produces it and has then assigned to this producing agent a higher rank of reality than is given to what merely meets the eye." (Arendt 1978, I, 25) According to Arendt, the long history of ontological mistakes is itself reducible to this confusion of cause and ground, and the normative dimension that it takes on.

Arendt refuses to grant professional philosophers a privileged capacity or relationship to thought, and she stakes few claims about the relative superiority of various metaphysical schemes. The frequent exception to this rule is her rejection of idealism: she constantly points out the errors of speculation that posit the invisibles as a 'truer' world than the appearances, since these tempt the thinker to attempt to

dwell in the withdrawn world of invisibles. She calls this the 'two-world theory,' in which the thinker privileges the world of his withdrawal over the appearances from which they are derived. In those cases, Arendt applauds the derisive laughter that brings the philosopher back to the present and obvious, confronting him with the appearances he has ignored. Yet she emphasizes that the potential errors available to metaphysical thinking are not an indictment of the project of thinking altogether.

As we have seen, the promise of thinking is that it might curb the self-deceptive errors Arendt observed in Eichmann. Yet in practice we find that the speculative play of these invisibles is entertaining, even engrossing. It leads its practitioners astray as often as it corrects them. Arendt's account of the role of thought in avoiding evil focuses on two lines from the Platonic dialogues, developing a version of thinking as 'account-giving' or a narrative self, through reference to Socrates' self-relational ethics. She claims these are the only non-aporetic assertions in the Platonic version of Socrates: that "it is better to suffer an injury than to inflict one," and that "it would be 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, than that I, *being one*, should be out of harmony with myself and contradict me." (Arendt 1978, I, 181)⁷ The *Gorgias's* account of wrongdoing, Arendt argues, depends not upon a given self-identity established through logical assumption, but rather on the reflective work of producing this self-identity.

Thinking brings the many propositions about intentions, desires, beliefs, and experiences that must share the intimate space of the psyche into harmony. This is why Arendt emphasizes the Socratic parenthetical, "...I, *being one*, should..." The force of this imperative to maintain consistency and avoid wrongdoing lies in the success of the work of unification of the self; so long as the self does not, or cannot, achieve unity, the force of the imperative is lacking. Thus, she cites the *Hippias Major*, where Socrates ends with a playful account of his jealousy of Hippias, who is not discomfited by self-contradiction, while Socrates must return home to cohabit with "a very obnoxious fellow who always cross-examines him," that is, himself. (Arendt 1978, I, 188)

Hippias does not feel the sting of the imperative to avoid wrongdoing. His 'blissful ignorance' secures him against the self-injury that contradiction entails. Hippias contains many men, just as Walt Whitman wrote: "Do I contradict myself?/Very well then I contradict myself,/(I am large, I contain multitudes.)" Hippias is not one, cannot *be one*, but is many: the man who claims that beauty is a woman or that it is gold, a man who maintains that it is a thing or object and then also that it is a life lived so as to bury one's parents and be buried in turn, and yet another man who is unconcerned with the contradiction because opinions are just bits of speeches to be collected and wielded as needed. Of course, Hippias is

not Eichmann: there is nothing inherently evil about this divisiveness. Rather, there is a lingering threat that he will act without knowing, behaving in such a way as to take a bold stand unconsciously, ungrounded in conviction or courage. Because he simply *cannot* become one with himself, the plurality within him threatens to engage the plurality without in a manner that destroys the common world.

Like Eichmann, Hippias fails to supply a consistent account of himself to himself. Unlike Eichmann, however, Hippias's self-contradiction will not result in genocide. Thoughtlessness becomes evil only in those circumstances when the deed and the account of the deed we give ourselves diverge. In that divergence, we approve an act that we would never forgive. In those situations, we say we 'ought to have known better.' Yet Arendt argues that the Socratic conflation of knowledge and virtue is flawed, because action does not always depend on forethought, and the quest for certainty actually threatens to overwhelm the capacity to act with an impossible demand: to know the results.

Thought is a process of self-reflection aimed at bringing oneself into agreement with oneself. Thus the 'I' who thinks in the Cartesian formulation is not a metaphysical given, but a product, a work of fabrication. (Arendt 1978, I, 187-9) For Arendt, internal consistency is an achievement garnered through the work of thinking, not an assumption to be granted. Once achieved, even the metaphor of unity or consistency will have to be jettisoned.

How do we make ourselves whole? How do we weld our psyche into a persona, how do we channel the diverse currents and movements of mind into a single intention or position upon which we can act? For Arendt, this is the wrong question: though thoughtlessness threatens evil, thoughtfulness does not promise goodness. (Arendt 1978, I, 191) In fact, thoughtful action appears to be a contradiction in terms for Arendt, as does thoughtful politics: the capacity for action is the will, and the same impulse that wrongly seeks certainty of results will also fail when it seeks to contain the human capacity for novelty within the bounds of some internal narrative or personal ethic.

Arendt writes of thought that, "the guiding experience in these matters is, of course, friendship and not selfhood; I first talk with others before I talk with myself." (Arendt 1978, I, 189) My relations with others give me a model for my self-relation, and the two continue to inform each other so long as I am afforded both interlocutors and opportunities for solitude. Thinking, then, is not an encounter between desires and intentions, but rather between perceptions, concepts, and most of all, propositions. It takes on the tone and rhythm of my conversations with others, and finds there the language to explain my experience.

Arendt modeled this self-reflection on an ideal of self-friendship in the midst of a divided, democratic polity. It is no doubt true, as Aristotle argues, that we do not govern our desires and intentions, but master them. If so, then the moment we attempt to apply these same techniques publically, the republic becomes a tyranny. One cannot dwell in self-dissensus: we must struggle to achieve consensus between these intentions. As such, it seems that a citizen-thinker must enslave herself in order to act as an equal with others. How else can we acquire the agreement of rage and lust with the conclusions of reason or duty? Arendt draws on Aristotle, then, when she rejects the image of a body-politic, to be ruled by the soul as the city is ruled, where diverse interests and intentions struggle for recognition just as vigorously as they do in the world we share with other citizens. There cannot be a polity-within, because the psyche is too intimate for politics. Thinking cannot be reduced to an act of the will, whereby we force ourselves to believe something, overcoming the resistance of counter-arguments through the threat of intellectual violence.

It remains a question whether thinking enforces some kind of logical syntax, or is enforced by it, just as it remains a question how friends can remain friends in the face of disagreement. The answer requires us to return to Arendt's reading of Lessing, whose inclination towards affiliation drove him to preserve the *conditions* of friendship. Lessing strove to demonstrate gentleness and toleration, rather than to pacify and manage differences by overcoming them. I will elaborate these conditions in the next section. As I show in a more detailed discussion of the breakdown for chapters two and three, these conditions are what broke down in Nazi Germany.

IV. Pluralism and the Coercive Character of Truth

In his play *Nathan the Wise*, Gotthold Lessing responds to a challenge levied at his friend Moses Mendelssohn with a parable. Mendelssohn, a Jew, had been publically challenged to refute the Pietist theology of Charles Bonnet, or else convert to Christianity. Lessing represented this challenge with a scenario in which Nathan, a Jewish merchant living in Jerusalem under the sultanate of Saladin, is asked to judge which of the three monotheisms is *true*: Judaism, Christianity, or Islam. The Sultan's goal is to trick Nathan into taking a position with which he can blackmail him, so that he can force Nathan to finance his administration.

Instead of responding to the question directly, Nathan begins a story of a man who owned a ring which rendered its wearer "pleasing in both the sight of God and man." (Lessing 2002, 123) The man has three sons, to each of whom he promises both the ring and the inheritance of the family's estates and titles. Before his death, he has counterfeits made and gives a ring to each son. In the ensuing controversy, a

judge determines that none of the sons can be granted an undivided claim on the inheritance, as none of the rings appears more authentic than the others. Instead, he decrees that the three should compete to “demonstrate the magic virtue vested in his ring and help that power to grow with gentleness, with heartfelt tolerance, with charity and deep submission to the will of God!” (Lessing 2002, 126) Their competition in tolerance might someday reveal the bearer of the true ring, since the only evidence available for judgment is the display of these ‘pleasing virtues.’

Arendt interpreted the story as a paean to continuing dialogue and tolerance: “[Lessing] was glad that... [truth] if it ever existed, had been lost; he was glad for the sake of the infinite number of opinions that arise when men discuss the affairs of the world “ (Arendt 1968, 26) She suggests that Lessing would always trade certainty for friendship and debate, and that this is typical of those who devote themselves to the faculty of thinking. The plurality of religious dogmas provides an opportunity to encounter others, rather than a set of differences which must be managed or equalized.

The Lessing view of pluralism is closely related to the liberal pluralism later espoused by Isaiah Berlin. Berlin famously argued that “the ends of men are many, and not all of them are in principle compatible with each other”; this entails that “choosing between absolute claims” is “an inescapable characteristic of the human condition.” (Berlin 2002, 214) Philosophy, Berlin suggests, is poised on a knife’s edge between the empirical sciences and formal a priori inquiry. “The nature of philosophical problems... is that they are precisely those problems which are not soluble by the application of ready-made techniques.” Once analysis renders them soluble through some self-contained procedure, they cease to be properly philosophical problems:

“Those who believe that final truths may be reached, that there is some ideal order of life on earth which may be attained [...] will, however benevolent their desires, however pure their hearts, however noble and disinterested their ideals, always end by repressing and destroying human beings in their march toward the Promised Land.” (Berlin and Hardy 1997, 75)

Berlin’s conclusion was that we ought to preserve pluralism and dispute in the face of this potential for state restraint, in the name of the perpetuation of this inquiry. As Bernard Williams has suggested, one way to justify the liberal commitment to freedom is in the name of this pluralism: a society with more options is always better than a society with fewer ones. “If there are many and competing values, then the greater the extent to which a society tends to be single-valued, the more genuine values it neglects or suppresses. More, to this extent, must mean better.” (Williams 1978, xix)⁸

Of course, the story can also be read as a set of truth conditions for determining the true religion. We see this in the work of Roger Scruton, for instance, who argues that Christianity's ascendancy and devotion to the freedom of religion makes it superior to Islam, which "wishes to exterminate it." (Scruton 5) Arguing that Christianity tolerates religious differences but cannot tolerate challenges to its political ascendancy, he concludes: "Freedom of association can be granted only to associations which... [do not] entertain rival legislative ambitions." (Scruton 11) This is a version of the old cliché: toleration cannot tolerate intolerance, and communities of faith ought to be judged by their most intolerant dogmas. Arendt argues that this liberal tolerance is worthless, a mere *modus vivendi* for putting up with each other. The measure of tolerance is the friendships that are possible despite disagreements or rivalries. Thus she repeats Nathan's refrain: "We must, must be friends."

Arendt enjoyed the image of the Thracian maid, giggling at the sight of Thales tripping into a well because his gaze was skyward. Thinkers, or at least what Arendt calls 'professional thinkers,' are unworldly: their attentions turned inward or upward as they stumble through the physical world. They spend their days speculating, staring, obsessively observing minutia and scribbling unsettling conclusions; sometimes they are indistinguishable from madmen. Their investigations end best when their insights simply draw the mockery and derision of their fellow citizens, because the alternative is that the thinker will find herself persecuted, exiled or executed for the unsettling direction of her results.

The thinker often finds herself at odds with common sense, in part because she ventures where common sense gives way to superstition or indifference, or abandons inquiry in the name of prudence, convenience, tradition, or respect. Arendt identifies philosophy with the courage to proceed, to question foundational assumptions or hubristically interrogate the gods. This, however, is not the source of the conflict between thinking and politics. Instead, these two activities find themselves at odds because of the threat of certainty that thought presents to political plurality: that our shared pursuit of good policy will become monotonous agreement.

As she put it in her Lessing Prize lecture, "[T]he question of truth was in Lessing's time still a question of philosophy and of religion, whereas our problem of being right arises within the framework of science and is always decided by a mode of thought oriented toward science." (Arendt 1968, 28) Where philosophy concerns itself with questions that resist 'ready-made techniques' like God or freedom, science attempts to settle these questions the same way it settles the specific gravity of milk or the load-bearing capacities of a bridge. Arendt argues that the loss of this distinction comes at the expense of

friendship, and at its worst, it may also cost us the political world. As we increasingly confront the conflict between expertise and participation in the political world, especially where the majority of the rules that govern citizens in a democracy are promulgated by administrative agencies directed by technocrats rather than directly by the legislature, Arendt's account of the coercive nature of truth continues to ring true.

V. From Representation to Meaning

“What then is truth? A movable host of metaphors, metonymies, and; anthropomorphisms: in short, a sum of human relations which have been poetically and rhetorically intensified, transferred, and embellished, and which, after long usage, seem to a people to be fixed, canonical, and binding. Truths are illusions which we have forgotten are illusions- they are metaphors that have become worn out and have been drained of sensuous force, coins which have lost their embossing and are now considered as metal and no longer as coins.” (Nietzsche 1954)

When we attempt to view thought in its own element, preserving as much as possible the experience of withdrawal that Arendt argues typifies it, we see that this self-friendship is incompatible with the agonistic pluralism she demanded for the public sphere. In this section, I will give an account of thought's engagement with the world after its return from withdrawal, again with attention to errors in thinking that might have led to Eichmann's actions. As we will see, this error occurs as the thinker makes the motions of withdrawal and return. For Arendt, thinking is a kind of work: it discerns and produces the meaning of an act or event. This will require a discussion of Arendt's account of the *homo faber*, the self-understanding of being-human that prioritizes work and valuation over the other conditions of existence.

The greater part of the human world is made by humans themselves, since we live in a built environment and rarely encounter nature undomesticated. Arendt, however, understands worldliness as the coeval and mutual constitution of men and world. She sums up the relationship in this way: “...everything [men] come into contact with turns immediately into a condition of their existence.... [T]he things that owe their existence exclusively to men nevertheless constantly condition their human makers.” (Arendt 1958, 9) In this sense even ‘nature’ is the product of work, since, for her, we encounter it linguistically and through the frame of friendships and self-relation.⁹

Any examination of Arendt's *vita contemplativa* is hampered by Arendt's claim that, "there exists no metaphor that could plausibly illuminate this special activity of mind." (Arendt 1978, 123) The metaphor of invisibility is inadequate to the phenomenon of withdrawal, deriving as it does from the visual field while ignoring the other senses. According to Arendt, the visual metaphor of 'speculation,' 'introspection,' and even 'theoria' cannot adequately account for the contemporary trend towards the language and semiotics: "Since Bergson, the use of the sight metaphor in philosophy has kept dwindling, not unsurprisingly, as emphasis and interest have shifted entirely from contemplation to speech, from nous to logos." (Arendt 1978, I, 122)

Arendt is here developing a counterargument for Hans Jonas's claim that "Only sight can therefore provide the sensual basis on which the mind may conceive the idea of the eternal, that which never changes and is always present." (Jonas, Hans. "The Nobility of Sight," *The Phenomenon of Life*, New York, 1966, 136-47, quoted in Arendt 1978, I, 112) Jonas's argument depends on the distance and decision available to the observer who sights an object a long way off and can choose the terms of his subsequent interactions with it. As such, it is an extension of the "very early notion that the philosopher's quest for meaning was identical with the scientist's quest for knowledge." (Arendt 1978, I, 121) That elision of difference between meaning and knowledge will ultimately contribute to the technological enframing that troubles modernity.

Sight provides an *episteme*: a place to stand, as when a general stands above his army in order to observe the battle and issue commands. As such, it imports a model of freedom and self-mastery over one's own beliefs that are not justified by the experience of thinking. Thinking cannot even depend completely on language, which "gives an object its common name," and thus unifies the senses, supplying the common sense by which we unite an object's visual and auditory character, for instance, and make those characteristics available intersubjectively. The problem is that not even language unifies the senses *with thought*, since they are always connected by similes: "Something smells *like* rose, tastes *like* pea soup, feels *like* velvet, that is as far as we can go." (Arendt 1978, I, 119) But thought still depends on language, "it [thought] needs it [language] to be activated at all," for a meaning can only be grasped insofar as it "can be said and spoken about." (Arendt 1978, I, 121-2)

If Arendt is right about thinking, it depends upon metaphors and cases drawn from our sensory and social engagement with the world, none of which are *accurate* or *representative*. Representation breaks down at the level of metaphysics, because our names for metaphysics are derived from our encounters with the invisibles rather than with appearances in the world we share. "All philosophical terms are

metaphors, frozen analogies, as it were, whose true meaning discloses itself when we dissolve the term into the original context, which must have been vividly in the mind of the first philosopher to use it.” (Arendt 1978, I, 104) Even as we mobilize a metaphor, like “ground,” we can anticipate its loss of efficacy as we stretch it further from its original usage, until it we are led astray if we continue to depend on it. We can only speak of the fittingness of a trope or the appropriateness of an analogy, while at the same time acknowledging that these metaphors are fundamentally alien and out of order with the phenomena they describe.

Nowhere is this more evident than in the attempt to describe thinking itself. Arendt asserts that thinking itself is ineffable, save perhaps through some vague reference to being alive: “Without the breath of life the human body is a corpse; without thinking the human mind is dead.” (Arendt 1978, I, 104) Thus *The Life of the Mind* might have been a very short book, the metaphor exhausted in its title, were it not for the saturation of the phenomenon of liveliness in Arendt’s work. The best lives ought to be remembered, and so Arendt sets out to preserve the ‘life’ of Western philosophy in her own words. “...the business of thinking is like Penelope’s web; it undoes every morning what it has finished the night before. For the need to think... can be satisfied only through thinking, and the thoughts I had yesterday will satisfy this need today only to the extent that I want and am able to think them anew.” (Arendt 1978, I, 88) The task of a thinker concerned with politics is to catch glimpses of the tapestry and preserve them, without arresting the process of thinking and rethinking. This preservation elaborates the proximity of thought and work, which might otherwise be alien to each other. Though thought withdraws from the world, and work produces and maintains it, the two activities are two sides of the very same dichotomy that separates appearances from the invisibles.

Keeping this intellectual liveliness alive partly depends on seeing to its needs, which for bodies entails repetitive, exhausting labor. The mind, too, has the need to preserve itself through repetition and repeatability, but like labor, recent technological advances in computation demonstrate that this is neither the purpose nor the totality of mental activities. Arendt wrote in *The Human Condition* that computers are evidence “that the modern age was wrong to believe with Hobbes that rationality, in the modern sense of ‘reckoning with consequences,’ is the highest and most human of man’s capacities....” (Arendt 1958, 172) The mind is capable of much more than weighing logical necessities and evaluating the probabilities. In contrast, she suggests that there may be a mental activity akin to the physical process of work, which concerns itself with producing the world. Arendt’s account of work emphasizes its materiality, since on the one hand, she develops it in tension with Marx’s account of work, and on the

other hand, she derives its capacity to endow the world with spaces of appearance from the physicality of architecture.

However, Arendt's account of work also draws on Heidegger's "Origins of the Work of Art, and thus she is equally concerned with the *poiesis* of work, the world that is constituted through what she calls "thought things:" art works that reify certain formal attributes of the invisibles that concern thought. The least important aspect of an artwork is its capacity to accurately represent other objects, as when a painting of a chair resembles the artist's subject. In artifice, thought calls on "a human capacity which by its very nature is world-open and communicative," a capacity that is oriented both towards the plurality in its attempt at expression, and towards the plurality's world, its shared forms of expression and the spatial conditions that delimit it. (Arendt 1958, 168) Thus its goal is to cement a memory or transfigure the movement of thought and the 'passionate intensity' of selfhood into the world that we share.

Fabrication, the activity most appropriate to *homo faber*, is concerned with utility. Its activity is purely instrumental, serving as a means to another activity. Following Heidegger, Arendt argued that fabrication cannot supply its own meaning: "it gets caught up in the unending chain of means and ends... utility established as meaning generates meaninglessness." (Arendt 1958, 154) The artisanal mentality is quite capable of judging the efficacy of tools through the needs of the artisan, but this utilitarian thinking can never reach beyond itself, to supply that 'for-the-sake-of-which' the work is done. This instrumentality cannot help but instantiate the human as means to an end, as well: fabrication becomes "the highest human possibility." (Arendt 1958, 157)

Thinking in this vein is quickly stymied when it attempts to treat human beings as instruments as well. It can certainly accomplish this conceptual leap, but in rallying human resources to a task it gradually loses the thread of its ends. These workers are put to work for still other human beings, who are themselves understood as workers and thus mere means. This 'teamwork' turns work into labor, reducing the activity of world-production and valuation to repetitive and simple motions, and thus destroying "the specifically political forms of being together with others..." in favor of "togetherness as the parts which form the whole." (Arendt 1958, 162) Thus the instrumental mentality ultimately destroys the possibility of friendship, wielding gathered laborers as a tool and not as relational beings who condition and are conditioned by the world. In that situation, thought becomes just as impossible as action.

This cycle of utility is broken by the human capacity for singularity. She emphasizes the humanity of the world. Humans can become ends through speech or deed, and the world is for-the-sake of this becoming-an-end. As such, both work and the thought specific to it can be oriented towards these acts,

specifically to producing the conditions for their appearance and the means of preserving their memory once they have disappeared. Thinking ought not to be primarily oriented towards 'reckoning with consequences.' It ought to reckon with meanings.

In order to understand meaning, we must relate it to valuation. "Values... come into being whenever any such products are drawn into the ever changing relativity of exchange between the members of society." (Arendt 1958, 165) In this way, values mirror meanings, since no one would bother to think, or be able to do so, in complete isolation. However, they are not identical: valuation occurs primarily through the exchange of goods in the exchange market, while meanings are discovered in thinking, that is, in withdrawal from the bustle of the marketplace and the crowd's judgments. Although the products of the poet and the carpenter can both be evaluated, this process ignores an important characteristic that is present in both products but is perhaps more obvious in the poem. In its rhythm and vocabulary, the poem preserves the memory of a life, an act, an event, or a lifestyle. As such, the poem is essentially useless, even while it is full of meaning. A chair may act as the solid accretion of meaning, as when we learn about the culture and circumstances of an ancient world by the kinds of seats they used, or the personality of a family by the chairs in their home.

Even more important, however, is the aesthetic experience of the poem or the chair. Insofar as the work appears beautiful or ugly, it mirrors the public appearance of a political act. For Arendt, human beings are distinguished by their dual capacity to appear and to encounter appearances, yet frequently humans become so passive in their experiences that they forget that they are also appearances, and that they have the capacity to appear singularly, as *this one who I am*. The work of art thus has three functions: first, it preserves a world. Second, it offers that world to the viewer as a possible world of meaning, all while tutoring those who observe it in their own capacity to appear publically. This threefold significance is the work's meaning. Thinking can both apprehend these meanings by reflecting on the work's character as a product of work, as well as produce meanings by reflecting on the thinker's world and its unique features.

In this section, I developed a comparison between thinking and working. I argued that thinking can be modeled on work, and generally relates to the world instrumentally. However, I showed that the means-ends couplet does not give a satisfactory account of meaning, and that we must therefore develop a non-evaluative account of meanings. Since meanings are rooted in metaphors, they are the proper object of thought, but this relationship limits their scope. I will explore the scope of this limitation in the next section.

VI. The Limits of Meaning

In order to falsify a proposition, thought draws on common sense, on a set of shared meanings, which it shares with judgment. I will argue that when thought considers the limits of meaning, it is marking a territory that contributes to the success of judgment. Though thinking is often at war with common sense, it also grounds discernment by announcing the limits of both thought and judgment. In so doing, they define certain judgments as out of bounds. The two activities depend on 'common sense' in different ways, which becomes a term of art in Arendt's hands that designates both the thinker's capacity to derive metaphors from her experience and to share those metaphors with her linguistic community. As such, thinking does not counteract evil, but it does lend its faculties to hermeneutic institutions and communities of response that might themselves enable political actors to counteract it.

Arendt writes: "Thinking is out of order because the quest for meaning produces no end result that will survive the activity, that will make sense after the activity has come to an end." (Arendt 1978, I, 123) Thinking, on its own, provides no results, gives no guidance, and cannot even supply the certainty we look for in facts or the accuracy of representations. Yet insofar as it engages with metaphors, with the fittingness of analogies or the appropriateness of models, thinking gives us an insight into the *structure of meaning*. This insight is necessarily ephemeral, but the momentary glimpse still gives us reason to discount some propositions and credit others. Thus, thinking can be otherworldly and for the most part irrelevant while still supplying the tools to understand the content of a language game like those that tripped up Eichmann.

Thinking works on the meaning of appearances in communities that can aid or oppress thoughtfulness. In Arendt's discussions of Kant's *Critique of Judgment* which I will discuss in chapter four, she articulates a concept of 'sensus communis' which many thought promised to guide action, insofar as thinking shares this kind of common sense with its sister faculty, judging. In an individual thinker, common sense is the capacity to name an object and thus gather correlative auditory, visual, tactile, olfactory, and gustatory appearances under that name. This name can then be circulated, disputed, renamed, applied analogically, and used to communicate, deliberate, deceive, and persuade in any group that shares a vocabulary. This communicative and disclosive activity is distinct from the 'sensus communis' and when thinkers 'work' on the meanings within whose horizons the common sense binds its members, their thinking contributes to both the constitution of such communities and the conditions for membership. This common sense and Kant's 'sensus communis' are thus mediated by the faculty of imagination,

which allows us to strip appearances of their flesh and withdraw into a consideration of their invisible underside.

We have not yet shown how thinking can counteract evil-doing. Understood purely as that faculty to preserve consistency with oneself, it threatens to fall into the purely formal critique of the Kantian practical reason. It was thoughtfulness that was lacking when Eichmann missed an opportunity to compare the language of 'deportation' and 'quarantine' with the reality of gas vans and shootings, just as it was thoughtless to think only of Chinese Communists when American military commanders confronted the growing resistance of the North Vietnamese. But even if Eichmann or McNamara were occasionally aware of the absurdity of these comparisons, it was the secrecy that surrounded their work that ultimately short-circuited the operation of judgment. Instead of cementing their insights by naming and recording them, thoughtless evil thrived because their worlds were constituted on the deliberate misunderstanding of the unfitting analogies under which they functioned. Before a community can become so twisted, other thinkers must first introduce the language rules and codes that will prevent the rest from fully interrogating their decisions. For all her discernment, Arendt's account of thinking gives us no insight into the behavior of an ignoble liar like Goebbels, who knowingly twisted his own language so as to short-circuit the thinking of others. Having rejected the monstrosity of Eichmann the desk-murderer, we find ourselves wondering whether anything could possibly count as monstrosity rather than its own peculiar brand of forgetfulness.

As we have seen, thinking is a solitary activity. Alone, it has only an attenuated relationship to evil-doing, especially because, as we shall see, thinking is almost completely divorced from all forms of 'doing,' which Arendt relegates to a separate mental activity in "Willing." The two are so at odds that it appears that there is nothing, not even common sense, that can bind them together or reign in the unforeseeable novelty she associates with freedom.

Chapter 2

Freedom and the Will

“Most of us are conditioned for many years to have a political viewpoint, Republican or Democratic—liberal, conservative, moderate. The fact of the matter is that most of the problems, or at least many of them, that we now face are technical problems, are administrative problems. They are very sophisticated judgments which do not lend themselves to the great sort of ‘passionate movements’ which have stirred this country so often in the past.”
(Kennedy 1963)

In this chapter, I will argue that the faculty of the Will, which makes freedom possible, can be destroyed, or at least dissipated, requiring reformation in order to function again, and that reformation and preservation of the conditions of possibility for the Will gains normative value through its logical necessity. Arendt referred to the structural requirements that arise from an analysis of the intertwining concepts of freedom and action through recourse to linguistic metaphors: as the ‘grammar of political action,’ a description of which would carry prescriptive weight.

In order to supply an account of the structural sources of political normativity, I will first develop her largely unpublished account of the relationship between the Will and action based on my work on Arendt’s notes and working papers from the Library of Congress. Then I will develop an account of work, the human capacity to build spaces of freedom, which can best be understood in the fundamental relationship between world-productive work, especially the work of the historian, poet, or chronicler, and the ephemeral speech and deeds of politics, focusing on Arendt’s phrase ‘enacted stories.’ Following these considerations, I will lay out the idiosyncratic model for power and violence that Arendt thematized in her work on the student movements of the 1960s, again with the aim of demonstrating the normative implications of her structural account of action.

I. Two Concepts of Freedom: Privation and Capacity

In the last century we have seen several definitions of freedom arise, all of which focus on the deprivation of some fundamental or inherent right for their definition. The most important privative accounts were Isaiah Berlin’s conception of liberty as non-interference, Robert Nozick’s conception of

freedom as non-coercion, and Philip Pettit's conception of freedom as non-domination or antipower. Yet as I shall argue, the best accounts of freedom are positive, active accounts of liberty that mix Arendt's account with that of Amartya Sen and Martha Nussbaum.

When we discuss political freedom, we often do so in the rubric developed during the wars and revolutions that grew from the Protestant Reformation: was his conversion free? Do I deserve damnation? Should the state coerce salvation? The contending concepts of freedom draw in some ways on the Christian notion of psychological freedom: the untrammelled individual will or volition that chooses between salvation and damnation. Though that decision is heavily stacked in favor of belief, as in Pascal's wager, we still continue to imagine it as free. Since the sovereign stands in for the Judeo-Christian God, we might say that we are seeking an account of political freedom between sovereign and subject that preserves the hierarchical relationship between creator and creature.

The classic account of privative freedom comes from Isaiah Berlin, for whom all laws are 'fetters' even when they protect us from 'heavier chains' such as chaos or despotism. (Berlin 1958) Negative liberty as non-interference or non-coercion locates zones in which we are free to do what we are able, and does not inquire too far into what makes us able to do them. In order to violate my freedom understood as negative liberty, an interference must come from a third party who is conscious of and responsible for her act of interference. Berlin moves from his celebration of negative liberty to consider the case for 'positive' liberty which supplies the means of accomplishing what many are unable to do for structural reasons. Because of the Cold War context in which he was writing, Berlin's primary concerns were political freedoms and constraints imposed by the state, and he argues that positive liberties usually conceal authoritarian or totalitarian impulses, and have historically been justifications for curtailing the zones of negative liberty in which we can do what we are able without measurably improving positive liberties. Berlin tells us that positive conceptions of liberty that emphasize self-government tend to divide the human personality into two: one part that rules the other. Depending on how we divide that personality, we may find that the state has thrown its weight behind a part of ourselves that we do not even recognize. We ought to prefer the negative conception of liberty to the positive one, he says, because it reduces the state's overall capacity to coerce us, it weakens the fetters it might otherwise put on the individual in the name of some principle we know not, and it avoids the risk that the state will suppress our plural and incommensurable preferences through reference to some comprehensive theory of the human person that pretends to justify its interference.

Another complaint about positive conceptions of freedom is that they cannot appropriately distinguish between an un-exercised option (being free to speak but choosing to remain silent) and a deprecated option (remaining silent because the social, political, or economic costs of speech are too high.) Privative definitions of freedom benefit from allowing us to avoid the problem of potentiality: freedom exists only where no (state-sanctioned) obstacles, constraints, and limits are present. Yet the major theorists of privative theories of freedom are ultimately just as interested in the acts of subjects unencumbered by state intervention as they are in the avoidance of that interference or coercion itself. Skepticism of the state plays a large role in motivating these privative theorists, because the state's legitimating powers and claims to dispense justice disguise its monopoly on violence.

For Robert Nozick, freedom from coercion requires not simply externality and agency, but also any kind of rebalancing of the options presented to the one coerced that changes the desirability of an option against the agent's will. (Nozick 1969) Unlike interference, coercion occurs whenever a choice is rendered more or less desirable, whether through threats or incentives. This is somewhat counter-intuitive, since it proposes to render offers and promises coercive. Any change from the baseline desirability of an option counts as coercion if it both aims to influence my choice and succeeds in doing so: for instance, though I do not currently want to work for Google, I might agree to do so if they 'sweeten the pot' by offering me enough money. A job offer from Google would thus be coercive if and only if I decided to take it against my baseline preference. Because of this, however, we are tempted to speak of 'justified' and 'unjustified' coercion: it seems justified to make some actions, such as drug use, less desirable, just as it seems justified to make some options, like charity or wearing a helmet, more desirable. In addition to acts and threats, deception can also be coercive, because it renders a choice more or less desirable even if it does not change the actual benefit or detriment to be gained. Nozick famously argues that the only justifiable state coercion is that which is necessary to maintain the least-possible coercive arrangement.

Using Nozick's account rather than Berlin's, we can at least acknowledge the coerciveness of the choice between joblessness and labor, or between salvation and damnation, and we can then enter into democratic deliberations about state action (or theological deliberations about Church doctrine) with the understanding that these are coercive institutions with various techniques of rebalancing desires and preferences, and treat citizens (or souls) like rational choosers who (Nozick argues) ought not to be coerced to achieve public goods. We do so, according to Nozick, recognizing that while coercion is not inherently or indefeasibly wrong, it must meet the same standard of justification as interference

because it is effectively the same activity: violation of a right. Thus, for instance, we should be just as cautious of taxation as criminalization.

One of the problems here is that Nozick seems to lack perspective, as evidenced by his claim that taxes are paramount to slavery: if I must pay one-third of my income to the government or else face imprisonment, this is allegedly akin to a slave who spends one-third of her time working for a master who will otherwise beat her. Another problem is that Nozick's view of coercion contains a success provision: I am not coerced if I choose the option that my coercer was attempting to make less desirable. Thus, I am not coerced when threatened if I do not heed the threat, even if the threatener carries out her threat, and I am not coerced by price-gouging or monopolistic market practices if my demand (for urgent life-saving medications, for instance) is not reduced by the change in price. These are counter-intuitive claims, and they tend to bolster the state-oriented objections to coercion while weakening our objections to apparent coercion on the part of private parties, especially large institutions like corporations, unions, and religious communities.

Using Philip Pettit's brand of civic republican "anti-power," we can better navigate the disjunct between negative liberty and coercion. (Pettit 1996) For Pettit, freedom is specifically freedom from domination, and domination is understood to encompass force and the threat of force (like coercion) and restraint and obstruction, (like interference.) In addition, it includes the (sometimes coercive, sometimes interfering) practices of manipulation and deception directed to alter or prevent choices and actions of the dominated subject.

However, Pettit differs from Nozick for several reasons. First, he argues that domination requires a substantive detriment in the welfare of that subject, such that incentives, offers, and promises are not understood as domination or subjugation so long as they improve her standing or welfare. Google's hypothetical job offer can hardly be called subjugation, after all. In order to dominate someone, you must know what is good for her, and enforce the opposite. Second, Pettit argues that domination requires that interference be absolutely arbitrary, that it occur with impunity, i.e. without punishment or accountability, and at will, i.e. without the assistance, consent, or approval of a legitimating agency but rather at the dominator's pleasure. Third, Pettit asserts that domination need not be total, as it would be for a slave, but might extend only to an abusive husband's domination of a woman's intimate life or an overbearing boss domination of an employee's workplace. The spheres of domination are not then limited to one's public life or one's relationship to the state, though domination by agents of the state (as in the military or a prison) is certainly a very troubling and pervasive brand of un-freedom.

Pettit's account of domination is a marked improvement on Berlin and Nozick because of its emphasis on the arbitrary and detrimental exercise or non-exercise of power. Judicial review, institutional protections, the support of social movements, and any other situation in which a power to interfere is checked and balanced, will not count as domination for Pettit. Nor does the dominator render a choice free by refraining from interference in a particular decision: to live under a benign or merciful master is still to live under domination. When we complain about domination, the arbiter of arbitrary interference, the one in whom the decision to interfere rests, is the one with whom we have a quarrel. This allows us to better parse the relationship between the non-arbitrary imposition of prejudicial or discriminatory force.

In Pettit's example, a police officer who enforces an unjust rule over which she has no discretion is not, herself, an agent of domination: rather, that domination inheres in the parliament or bureaucrat who actually did have the at-will and with-impunity power to author the unjust law or regulation. At the same time, these laws or rules may also facilitate the domination by a police officer insofar as she can arbitrarily decide to enforce the rule or choose instead to solicit a bribe or ignore the infraction in exchange for deference. Doubly-arbitrary impositions compound the subjugation of the person against whom the rule is targeted.

For Pettit, the best way to achieve non-domination is not through the reduction of the power to interfere, but rather through the multiplication and equitable distribution of opportunities for interference such that each acts as a check or balance to the others. In this way, the arbitrariness of interference is sapped because the 'at-will' and 'with-impunity' conditions are progressively eliminated. He calls this checking and balancing 'anti-power.' Thus, for instance, we do not eliminate spousal abuse by reducing the husband's capacity to triumph physically over his partner, but rather by supplying the partner with countervailing legal or economic resources that allow her to retaliate. Similarly, we can reduce the dominating quality of state interference either by limiting its powers in a libertarian mode or subjecting them to oversight and regulation. We can also render interference non-dominating by subjecting it to the deliberative approval or veto of those who will be hampered or constrained. Finally, we can render interference non-dominating when it benefits or increases the welfare and standing of the one with whom we interfere. In contrast with Berlin's claim that all laws are 'fetters,' Nozick can argue that laws that reduce the weight of our chains are no fetter at all.

Contemporary definitions of freedom usually speak of deprivation in terms of deprivations that result from the decisions of other agents, and never of the deprivations that are built into the physical world.

Arendt acknowledges that powerlessness can just as easily result from a natural disaster as from human action, and that we ought to mourn the acts that go undone because of earthquake or tsunami just as much as we do those that are lost to genocide or oppression. In this, she is joined by Amartya Sen and Martha Nussbaum, who take a modified utilitarian approach to these questions, seeking institutions and policies that will maximize 'human beings and doings' instead of merely enhancing the balance of pleasure and pain. Freed of the burden of discovering a guilty party, they can move directly to amelioration and harm reduction.

Where it is difficult to see what basis privative conceptions of freedom, even Pettit's, would give us to prefer a constitutionally-checked democracy to an equitable anarcho-syndicalism, Arendt and her followers are able to adjudicate that choice by supplying a positive conception of freedom. This is a double privative: freedom is non-powerlessness, i.e. freedom is power. For Arendt, it is important that we actually engage in certain activities in order to flourish as human beings. Simply living an unfettered life will not suffice, no matter how joyous it may be, because there are certain activities that are required to make a life worth living. As I will show, Arendt held that we must appear to our community in public acts regarding the basic constitution of our political world if we are to achieve the singularizing who-ness that only public acts can supply.

Many people, including Sen and Nussbaum, find this kind of phenomenological essentialism troubling. How can we sign on to the notion that a life lived without political engagement is less good or worthwhile than a political one? Doesn't this seem presumptuous, even prejudicial? Valuing political life over family life has tended to feed patriarchal institutions and serve as a justification for their misogyny. Valuing work over play feeds into our protestant capitalist obsession with productivity. That is why Sen and Nussbaum retreat to capabilities: a truly full life is very difficult for most people to accomplish, so a better way to think about power and justice is to measure our various capabilities, both exercised and left fallow. To be capable is to have access to 'beings and doings' without necessarily having to accomplish each and every one of them. I am able to have children, for instance, but I am not less capable because I have chosen a life without offspring, even though that choice is made under constraints and so as to maximize my other capabilities. This also grants some leeway to individuals in their pursuit of personally fulfilling good lives rather than mandating one good life that most people will fail to achieve.

II. The Meaning of Freedom: Willing

In this section I will analyze the relationship between action and the will. Arendt conceives of action as the unpredictable appearance of singularity within plurality, by which the actor becomes a 'who,' an individual, rather than a 'what,' a member of a predictable demographic. Willing is the faculty that enables this becoming-singular. It is the capacity for freedom, the source of political action. Yet, perhaps paradoxically, Arendt argued that action and willing escape the conceptual frame preferred by philosophers. Just as action is unpredictable, escaping even the best efforts of the actor to master the act's results and control its reception, so the will is unthinkable, forever exceeding the capacity of thought to grasp the invisible underside of the phenomenon of novelty.

The structure of action is similar to the structure of mortality in Heidegger's *Being and Time*: of all those things that I claim as my own, my death is the only one which cannot be lost. I can sell my books, lose my body parts, and forget my ideas, but no one else can die *for* me. No matter how estranged from the results one may be, death is my 'ownmost,' the very essence of property. No deception can trick another to take it for me, and so it serves as the final arbiter of identity: 'I' am that one who dies 'my' death. Confronting my mortality requires me to confront the likelihood that phenomena will cease to appear to me: 'the possibility of impossibility' which is always beyond my actual knowledge since it is hypothesized by the apparent mortality of others. Death is so private that no one else can even know it, and it hardly appears at all to those who continue living. The death of another person is marked by an uncanny remainder: a body that persists when an 'I' has died, which confronts us with the inaccessibility of that singularity that is no longer.

Though the Heideggerian conception of mortality supplies a crucial starting point for her thinking on action, she offers a friendly amendment that she believed maintained the political element of fundamental ontology. She suggests that Heidegger's focus on mortality overlooks and even denigrates natality and plurality. His fatalism threatens to isolate singularity forever in the privacy of this ultimate ownership, which is only fully realized in its disappearance. Here Arendt suggests, if not a rejection, at least an alternative focus in Da-sein analysis: she suggests natality as the analogue to mortality, and places the focus on the human capacity to begin, rather than end. Though Heidegger acknowledged that being-in-the-world encompasses the span between birth and death, Arendt foregrounds birth, the eruption of the 'possibility of possibility,' that takes priority when being-in-the-world is properly understood: "[Men] are not born in order to die but in order to begin." (Arendt 1958, 246) The phenomenon of natality makes my singularity possible, insofar as I can act and appear to others, and my

birth and death can take on a meaning that outlasts my lifespan. When viewed through the lens of mortality, 'I' experience the world *despite* my inevitable death. Yet the fact of natality provides a lens through which the world appears *because* 'I' was born, and in which 'I' can appear as a unique event. My birth in the world carries with it the capacity to set an unpredictable series of events in motion: exercising that capacity, 'I' become the singular origin of an action: for the action to be recognized as such it must be attributed to me.

In the same way, Arendt's work suggests that Heidegger's account of being-with is too solipsistic. Plurality is the condition of action: only as a member of a plurality can we achieve singularity. In action, 'I' appear *to others* as the originator of my actions. Without understanding this inherent plurality, it is impossible to differentiate my death from the destruction of the world: "The life span of man running towards death would inevitably carry everything human to ruin and destruction if it were not for the faculty of interrupting it and beginning something new." (Arendt 1958, 246) Just as Da-sein is always already in the world, Arendt argues that he is always already plural, "that men, not Man, live on the earth and inhabit the world." (Arendt 1958, 7) At the same time, she harbors the fear that both world and plurality might not be indestructible, which is of course most threatening when the instruments of violence leap so far ahead of the human capacity to share the world.

For Arendt, then, politics is not simply a distraction from the essential questions of Being, but the realization of some of the essentially human conditions of existence: plurality and singularity, beginning and ending. Action relates people to each other. Though the actor appears to the plurality as an explosion of novelty and an idiosyncratic *archê*, this appearance is dangerously ephemeral. An action worthy of the name requires a plurality: its dual accomplishments are singularization ('who-ification') and novelty. The plurality makes those accomplishments possible, because the action *appears* and thus must appear to someone other than the actor. However, the audience members to whom the action appears are also potential actors: they can respond to the action, and that response "is always a new action that strikes out on its own and affects others." (Arendt 1958, 190) All of the act's potential consequences ramify through the lives of the audience members, each of which is limited by the dual finality of mortality and forgetfulness.

The primary question for Arendt was whether Willing is an activity distinguishable from the interiority of volition. Her early work suggested that the two are incommensurable, while her later attention to the problem began to sketch a connection. In her 1960 essay, "What is Freedom?" Arendt strictly differentiated political freedom from the Will: "Freedom as related to politics is not a phenomenon of

the will.” She went on to differentiate the capacity to choose from the “the freedom to call something into being which did not exist before.” (Arendt 1961, 151) A free action, so understood, appears as an irresponsible explosion of risk and possibility, whose ground zero just happens to be the human being who appears in the public realm. On this account, political action is not the product of some mental capacity sheltered from the world. In the “What is Freedom?” essay, Arendt compared the divine act and the human one, and borrowed a theological vocabulary from Augustine: “God created man in order to introduce into the world the faculty of beginning: freedom.” (Arendt 1961, 167) In *The Life of the Mind*, Arendt equated this human capacity for action with the *creatio ex nihilo* of the Judeo-Christian God, who brings the world into being out of nothingness.

Unlike a God whose unlimited powers cannot exceed his unlimited knowledge, human action must overcome the human capacity to know if it is to count itself free. The state of affairs that action calls into being “was not given, not even as an object of cognition or imagination, and... therefore, strictly speaking, could not be known.” (Arendt 1961, 151) In order to be worthy of the name, actions must have unpredictable consequences. Otherwise, an action would be determined and not free: the result of multiple causes, some inhuman and none singular, subject to reason and calculation. Thus, willing is separable from the *vita activa*: though activity encompasses many human doings, only a subset count as acts of a free will *per se*. In the early freedom essay, Arendt goes on to say that action must be free from “motive on one side, from its intended goal as a predictable effect on the other,” since these would be determinations which might limit action’s miraculous possibilities just as much as a mechanical chain of causes. In so doing, she has staked a claim at odds with both consequentialism and Kantian deontology: neither the maxim nor the result can guide or constrain an action’s sweeping possibility. As we shall see in the next chapter, Arendt’s departure from Kant on this point is rooted in her historical account of the concept of law on which the ‘moral law’ depends: to Arendt, it is “highly equivocal,” combining the Greek sense of law as custom with the Roman usage of law as treaty-obligation backed by the threat of Roman legions. (Arendt 1965, 69)

Since the consequences of an act are necessarily out of the control of the actor, Arendt argues that action is tied to the individual through a principle, which the Greeks called *archêin*: to originate, begin, or give a rule to an act or event. The *archê* is carried through by *prattein*, practice or performance, which is conditioned by this formative principle. Thus, in this early take on the Will, even a principle does not determine an action: it merely reveals the connection between the actor and the act, while the act itself mixes the principle with its performance. Contrast this with the maxim, which is always formed as a

general statement. Where the categorical imperative demands that the act be derived from a universally intelligible intention, the Arendtian principle is disclosed by the act in its performance and introduces a novelty that only becomes intelligible after the fact. Principles include “honor or glory or love of equality, which Montesquieu called virtue, or distinction or excellence... but also fear or distrust or hatred.” (Arendt 1961, 152) A principle, so understood, falls short of an intention, since it does not suggest a result and offers no obligation to others. On Arendt’s account, the *archê* only impels action over passivity, setting the action into motion without directing it.

What ultimately separates Arendt’s account of Willing from her account of political freedom is her acknowledgement that “politics as such has existed so rarely and in so few places that, historically speaking, only a few great epochs have known it and turned it into a reality.” (Promise of Politics, 119) In her notes for *The Life of the Mind*, she added this as a conclusion: “Will the preparation to join my fellow man—that is, as far as volition is concerned, the decision [illegible] I want to appear.”¹⁰ Willing, she goes on to write, causes a ‘person’ to manifest him or herself: the Will “fashions” a person who is “turned into an actor.” But the action itself “extinguishes” Willing as an activity.¹¹ Note the crucial introduction of the language of making into the structure of action: Willing ‘fashions’ the person, assembling a recognizable individual out of the raw material of drives and memories, bodies and habits. Of course, Arendt did not publish her thoughts in this form, but it must still trouble us to realize that she couldn’t even jot down some quick thoughts without falling into the mode of work and thinking whereby politics becomes the artifact of some prior activity that occurs in private.

Arendt’s commitments as a phenomenologist shape her typology of the mental faculties. Consider that thinking becomes difficult under conditions of self-deception, which is to say, our capacity to think is limited by our capacity to appear *to ourselves*. Similarly, the principle obstacle to willing is the destruction of the public spaces in which our willed actions might appear *to others*. We normally equate willing with choice, which cannot be rendered impotent, since it is at the heart of every human action. To raise the coffee cup or leave it in place, we must engage in a mental decision, an act of volition, and the same volition is required for bureaucrats and blacksmiths. Yet the mental component of willing requires that we withdraw from “the present and the urgencies of everyday life... from the immediacy of desire.” (Arendt 1978, I, 76) The Will transforms these desires, which are mere intentions with regard to objects, into projects: temporalizing the object and the subject both. The Will confronts its desires and says ‘not yet,’ in order to “get ready for the future.” It concerns itself not with the satisfaction of material needs but “the future availability of an object that it may or may not desire in the present.”

(Arendt 1978, I, 76) In this way, and in this way alone, the Will depends on Thinking for its capacity to withdraw from the world while preserving a sense of the world's objects. Though the Will is not simply the capacity to reason about our desires and projects, it does avail itself of these sorts of calculations when it denies the immediacy of desire, allowing thinking to consider the invisible underside of those desires just as it does the apple desired.

Arendt jettisons the vocabulary of the 'miracle' in *The Life of the Mind*, in order to focus on the phenomenon of novelty. Willing remains a mental capacity rather than an active one, but it also becomes the function by which the individual prepares herself to appear in the world. In Arendt's topography, the active capabilities are exercised through engagement, while the mental capacities are accomplished through withdrawal: "What [thinking, willing, and judging] have in common is the peculiar *quiet*, absence of any doing or disturbances, the withdrawal from involvement and from the partiality of immediate interest that in one way or another make me part of the real world...." (Arendt 1978, I, 92) This withdrawal is not an inwardness or retreat into 'into one's head,' but rather a reduction or bracketing necessary for mental capacities to occur at all. Thinking withdraws from the present appearances to consider their invisibles: not into a treasure chest of consciousness, nor into the 'really real' world of forms and mathematics, but away from the presented world and toward its conceptual and linguistic underside. Its only limit is that it must regularly return to the space of appearances to compare its results to the world it inhabits.

In the same way, willing 'withdraws' from the world by bracketing the actor's most pressing desires: "the immediacy of desire... stretches out its hand to get hold of the desired object," while the will "is not concerned with objects but with projects, for instance, the future availability of an object.... The will transforms the desire into an intention." (Arendt 1978, I, 76) Arendt here argues that the metaphorical internality of the psyche is driven by philosophical accounts of willing, but that the best accounts of the will understand that this 'inside' is merely a metaphor for the Will's capacity to ignore desire, retreating from the compulsions that desired objects place on it. As such, locating the will 'inside' or in some sense 'sheltered' is less apt than to find its temporal attitude in the future. Yet she has here resurrected 'intention,' which she had previously denied played a role in action for fear that it might introduce a determinative cause into the miraculous gift of freedom.

In her notes, Arendt mentions a choice between turning the person 'fashioned' by the Will into an actor, or, on the other hand, into a "spectator." Yet contrary to the many commentators who associate the spectator with Judging, she suggests that the relationship is more complicated: "Only because Thinking

goes through Willing is Judging possible.”¹² Only after confronting the tension between thinking and willing can we understand that impasse presented to judging.

In this section, I have explicated the difficulty in relating the mental faculty of the Will to the political capacity to act. I articulated Arendt’s account of the capacity of a body to become an individual, withdrawing from the present in order to invoke the future. Willing supplies the capacity to formulate principles of action and then carry them out, while avoiding a purely calculative relationship to those consequences. In the next section, I will articulate some of the ways that this capacity decenters the individual agent.

III. The Displacement of Freedom: Providence

In this section, I will explore the relationship between two types of Willing: to will an act and to will a work. As we shall see, both projects are potentially novel and singularizing, but the activity of working suppresses the individuality of the actor in favor of the work, which produces a world rather than instantiating an individual. One of Arendt’s chief concerns is that the modern world has become increasingly inhospitable to singularity, i.e. that we have created a world where politically novel acts are difficult to accomplish, a world that is primarily ‘social’ rather than ‘political.’ As I will argue, this tendency is intimately connected to the displacement of the power of natality: the tendency to attribute every miracle to a Creator-God rather than to a human being.

Arendt had many names for the space of possibility that opens when actions and reactions have been set into motion: the public sphere, the political, the ‘web of human relationships,’ the space of appearance, etc. Yet she was careful to distinguish the purely political sphere from the social sphere. In the political realm, an actor appears only as a ‘who’, words and deeds always manifest a singular *archê*, and attention to race, gender, or class is pernicious. In the social realm, distinction is desirable, communities can and must find commonalities and terms of exclusion, and one rarely acts *as oneself*, but we engage in the work of building and maintaining our shared world. In the political sphere, I appear through my act; in the social sphere, I appear as a member, a part of a system or structural relation. The social nonetheless maintains the space of appearance enacted by the actor, just as the sphere of labor supplies the necessities of life, granting a temporary reprieve from mortality.

For an act to grant the actor her desired immortality, it must survive, and it can only do that through stories. Arendt analogizes the problem to the relationship between Achilles and Homer, the hero and his poet. The story, Arendt argues, is the medium of choice for preserving actions beyond their explosion

into the world, because it conveys both the action, the world into which the action erupted, and the reactions it engendered: “action almost never achieves its purpose... it ‘produces’ stories with or without intention... [which] may be told and retold and worked into all kinds of material... [T]he stories, the results of action and speech, reveal an agent....” (Arendt 1958, 184) The challenge is to understand the relationship between the appearance of singularity and the thought-form that apprehends the invisible underside of the appearance and makes a work out of it. For that, we require a world in which the singular appearance is intelligible and makes other appearances intelligible. This is the social realm, out of which political action erupts but to which it cannot be constrained.

Action does not make stories in the same way that an author writes fictions, out of the ideas in the author’s head. In fact, the ultimate mistake of all actors is to claim the authority to dictate the reactions of others as an author dictates both sides of the dialogue. The author, like all artists, begins with a form in mind, manipulating the invisible underside of an experience until it can be worked into the materials at hand. Whether the materials are stone, paint, or ink, he shapes them until they make the form appear to the world. What appears in the world through action is not a story, but the story is what reflection and withdrawal derives from that event of singular novelty. The story’s author paints a picture of that *archê* coming to appear, not before a plurality in public, but for each reader’s private imagination. The artist gains significant advantage from his position as story-teller, since the hero is only another mortal without the poet: “Even Achilles, it is true, remains dependent upon the storyteller, poet, or historian, without whom everything he did remains futile....” (Arendt 1958, 194)

The story shows the moment of decision, the act, its precursors, and its results, but the story also grants agency to a protagonist, attributing the action to some agents and not to others, assembling all the other causes and factors the story names as antagonists and audience. The author showcases the act, but she is not *bound* by it, and is thus quite capable of deception and self-deception, especially when the facts available are sketchy enough to allow multiple narrative structures. Arendt pinpoints the typically Greek act of self-deception through narrative structure in Homer’s, and following him, Plato’s, tendency to reduce action to “the gestures of puppets led by an invisible hand behind the scene, so that man seems to be a kind of plaything of a god.” (Arendt 1958, 185) From the perspective of the storyteller, all events appear as script to be transcribed, accurately or inaccurately, from the divine handwriting of the world. But this poetic dimension of life, dependent as it is on the withdrawal of thinking and the activity of working, denies natality. From the perspective of the author, all events are part of a larger narrative.

Humanity's world-producing work ultimately "produces" a metaphysical author who takes on the role of the narrator of history:

The Platonic god is but a symbol for the fact that real stories, in distinction from those we invent, have no author; as such, he is the true forerunner of Providence, the 'invisible hand,' Nature, the 'world spirit,' class interest, and the like, with which Christian and modern philosophers of history tried to solve the perplexing problem that although history owes its existence to men, it is still obviously not 'made' by them. (Arendt 1958, 185)

Theological understandings of action, rooted in metaphysics, fail to apprehend the truly unforeseeable character of natality's miracle. Instead, the various forms of theological authority relegate action to the achievements of an immortal author. History becomes an imperfect reading of the Creator-God's tale, in which we each play out our roles and the grand themes are irregularly expounded by the philosopher's chorus. Moreover, all ideology mimics this basically theological move, attributing novelty to some otherworldly anthropomorphism, and effacing the act's singularizing features by calling on the deities of History, Progress, or Spirit to give an account of the evil and good that men do. Real freedom, on this view, "unfolds behind the backs of those who act and work in secret, beyond the visible arena of public affairs." (Arendt and Kohn 2005, 120) Arendt suggests that the dominant metaphor for such ideologies is "a river flowing freely," in which geological forces beyond our ken supply only one choice: go with the flow or get out the way. "[E]very attempt to block its flow is an arbitrary impediment." (Arendt and Kohn 2005, 120-1)

Arendt grows suspicious of claims to historical truth when they tend to foreclose disagreement or subsume the plurality of human beings under a general term. Her suspicions waxed largest when historical narratives became totalizing, as they appeared to do under the influence of German Idealism. Though both Hegel and Marx had more nuanced positions than this, the teleological certainty derived from the overarching theories of historical Progress in the nineteenth century became dangerous ideologies in the twentieth century. Ideologies provide certainties, and as such they are the best target for Arendtian thinking. Though they promise an understanding of History or Nature, they do so in a way that is inherently unfalsifiable. Exceptions prove the ideological rule.

Arendt's suspicion of 'Progress' partially extends from its tendency to relegate human actions to a process; rather than granting them their capacity to fully instantiate a new and unpredictable event, 'Progress' stories reduce the Will to a link in the causal chain, making the Will an organic outgrowth of our natural tendencies that can be studied and rendered statistically foreseeable. Though in truth there

were major differences in the teleological accounts of 'Nature' and 'History,' these ideological attempts to tell the future and subsume action both derived from the same instinct to render events within a process to be understood:

The same idea both informed Darwin's biological discoveries, whereby mankind owed its very existence to an irrepressible forward movement of Nature, and gave rise to the new philosophies of History, which, since Hegel, have understood progress expressly in terms of organic development. (Arendt 1970)

If we side with teleology, defining History or Nature as an agent that shapes and determines the individuals or organisms who act, then we might well conclude that proper names are immaterial. This is the pitfall of a certain kind of historian, who can rightly correct popular heroic accounts of revolution because these mythic retellings of the events ignore all the other actions involved in such moments: some are anonymous, some repressed, but they are all ignored within a traditional historical narrative because proper names grow too numerous to keep them straight. In the counterfactual instance, wherein the actor was not born and so did not act, the act could not have occurred as it did, but precisely because we are dealing with the counterfactual the degree of difference is left to speculation. Could someone other than Leon Trotsky, Vaclav Havel, or Nelson Mandela have lead similar revolutions in Russia, Czechoslovakia, or South Africa? A few now-anonymous actors might have taken over in the place of the agents who have gotten the most credit, but the supply of actors is not infinite, despite the teeming masses of miserable humanity. To allow that history contains contingencies requires us to acknowledge that failed insurrections and successful revolutions are distinguished by fortune, felicity, and catastrophic minutiae rather than the overarching forces of Nature, History, or Providence.

If we are to take seriously Arendt's critique, however, we must acknowledge that even these ideologies are the product of historical contingencies, that they, too, are products of the Will. Readers who focus on the Arendt of *The Human Condition* often criticize Arendt for so devaluing cultural production with regard to political action that she misses the way that systematic injustices are perpetuated. After all, under the influence of some 'just so' stories, members of mass movements like Adolph Eichmann could comfortably murder individuals whose existence threatened the march of progress, purity, or faith. Yet when she analyzes totalitarianism in *The Origins of Totalitarianism*, she always emphasizes the interconnection between the production of ideologies and the innovations of institutions. Indeed, these narratives begin as attempts to thematize the problem of novelty itself. As we saw in the last section, Arendt focuses her attentions on just this partial and disjointed narrative by which a few forms of

ideological thinking came to prominence. However, these new ideas have consequences, and not every story can avoid attaching singular novelty to the author who pens it. As we shall see, the public spheres erected by the revolutionaries of the late eighteenth century disintegrated in the face of the violence these ideologies authorized.

In this section, I detailed the vagaries of a world produced by poets and historians that attribute actions to non-human forces. I worked through Arendt's account of action in relation to narrative and other world-producing work, noting the ways in which this picture is limited by its attempt to schematize often hybrid activities. I concluded with an account of the role of teleological reasoning in the suppression of singularity and novelty. In the next section, I will suggest some alternatives to this model of action and story-telling through an account of the philological relationship between the free will and the political possibilities.

IV. The Discovery of Freedom: Revolution

In this section, I will attempt to articulate Arendt's views on revolutionary actions like those undertaken by the American and French revolutionaries at the end of the eighteenth century. Arendt's account of these efforts to reconstitute a regime supplies the most clearly identifiable political acts, and much of her text *On Revolution* is taken up by what ought to concern political actors once they have succeeded. Her phrase "the lost revolutionary treasure" describes the condition of aimlessness that emerges in the wake of revolutionary violence and constitutional clarity, because each piece of legislation cannot have the importance of a regicide and so it is unclear how 'normal politics' can supply the opportunities for free action that the insurrectionary situation thrusts upon us.

Arendt rejected traditional notions of the history of ideas precisely because the Will is the organ by which human history is created. Since freedom makes human history possible, freedom's origins are necessarily prehistoric. She warns: "Tracing the history of a faculty can easily be mistaken for an effort to follow the history of an idea—as though here... we mistook the Will for a mere 'idea' which then indeed could turn out to be an 'artificial concept' (Ryle) invented to solve artificial problems." (Arendt 1978, II, 55) Particular instantiations of the Will can be situated and historicized, but the faculty itself is ahistorical. Arendt's philological work largely serves as a sort of private detective's search for a missing person. She asks: when was the 'revolutionary treasure' last seen? Was it acting strangely just before it disappeared? What were its favorite haunts?

The nadir of modern scientific accounts of freedom comes with the attempts in the social sciences to reduce willing and action to a process. Process thinking is the ultimate victory of contemplative withdrawal over active engagement. By viewing all novelty in retrospect, the 'process' erases the actor from the act. We ought thus to beware of "the all comprehensive pretension of the social sciences which, as "behavioral sciences" aim to reduce man as a whole, in all his activities, to a conditioned and behaving animal." (Arendt 1998, 45) This includes the science of history: unfortunately, process thinking better describes the world we currently inhabit than Arendt's hopeful paeans to the 'revolutionary treasure' of singularity and novelty. This is precisely Arendt's point: the treasure has been lost, but it is not so difficult to find as the Heideggerian forgetting of Being.

Arendt notes the temptation to tie the Will to the Greek *proairesis*, the faculty of choice in Aristotle's *De anima*: "It opens up a first, small restricted space for the human mind, which without it was delivered to two opposed compelling forces...." On the Platonic model, a man's desires impel him unless his reason can triumph over them by presenting him with "self-evident truth." (Arendt 1978, II, 62) Without choice, man would be a slave to either his reason or his desires. Choice allows the mind to choose between lesser and greater impulses. Instead of being moved by the stronger desires, sometimes human and sometimes animal, choice allows the mind to add its weight to reason's weaker, yet better drives.

This simple decision is insufficient to account for freedom, however, since it assumes that the free agent has no options others than those given beforehand. The best account of freedom, according to Arendt, is to be found in Augustine's *On the Trinity* and *City of God*. The *Confessions* is overly troubled with accounting for evil, and so it gives an account of a will that commands a body separate from it but finds resistance in a counter-will rather than in the body's stubborn flesh. Arendt argues that this early account is too antagonistic: there is no unification of the will with its counter-will in the *Confessions*, and so there is no account of decision and action: "how does it ever arrive at moving me to act—to prefer, for instance, robbery to adultery?" (Arendt 1978, 96)

In his work *On the Trinity*, however, Augustine describes the Will as the unity of sense perception and Memory, a capacity under-theorized by earlier philosophy. The Will derives the power to act from its capacity to direct our attentions: "by virtue of *attention*, [the Will] first unites our senses with the real world in a meaningful way, and then drags, as it were, this external world into ourselves and prepares it for further mental operations: to be remembered, to be understood, to be asserted or denied." (Arendt 1978, 100) The capacity to create internal images that are nonetheless derived from the external world, to manipulate them, choose between them, believe or disbelieve their new forms, and search for

meaning among them makes the Will an organ of action: “the Will prepares the ground on which action can take place.” (Arendt 1978, II, 101) The body moves because it is presented with the right stimuli by an ‘organ’ that can justifiably claim to unify memory, intellect, and its own activities. The Will is here distinguished from the drives and appetites between which the Aristotelian faculty of choice could only navigate: for Augustine, and for Arendt, the Will unifies these desires with the other faculties. Augustine takes the power of choice and couples it with the power of execution: in so doing he represses the conflict between the Will and its counter-will.

However, Augustine’s insights are lost in the later scholastics because they are bogged down in the metaphysics of predestination: “all your faculties become *idle* once you think along these lines without cheating.” (Arendt 1978, II, 105) Augustine himself escapes the trap of foreknowledge by positing the will as the organ of temporality: only the Will can draw a human’s attention from expectation to experience and into memory. As the sole bearers of the capacity to Will, human beings become the agents of temporality, created by God in order that time might have a beginning: “a creature that does not just live ‘in time’ but is essentially temporal, is, at it were, time’s essence.” (Arendt 1978, II, 108) Before humanity, ‘no one’ existed, and with humanity both a beginning and an individual comes to be: ‘someone’ can, for the first time, begin ‘something new,’ i.e. act.

Starting with Thomas Aquinas, the temporal structure of action is lost, as the Augustinian trinity of Intellect, Memory, and Will becomes a simple binary whereby philosophy comes to the aid of faith, and the Intellect becomes the handmaiden of the Will without any thought of the future or guidance from the past. According to Arendt, Thomas depends too heavily on an atemporal understanding that derives ends from first principles at the expense of both historical contingencies and contemporary contexts to properly understand the Will. For Thomas, it is the Intellect that ultimately supplies our best access to God and the world, since he identifies the Will with those desires and appetites from which Augustine had worked to separate it.

Though he does reassert the primacy of Willing, Duns Scotus’s reversal of the Thomist hierarchy of Intellect and Willing hardly advances the goals of freedom at all, and not just because, in this, “he had many predecessors among the schoolmen.” (Arendt 1978, II, 133) His account of Willing as ‘indifferent to both the “needs of desire” and the “dictates of intellect and reason” provide an account of freedom that is not *in* the world so much as constantly failing to escape it, because it cannot be purely indifferent to Being. Moreover, it derives a temporal account of freedom from the sense of historical necessity contrasted with the experience of contingency the Will confronts when it looks to the future. Scotus’s

failure to advance the discourse of the free Will is due to the lack of 'successors' for his fundamental insight ("contingency, the price gladly paid for freedom," (Arendt 1978, II, 133)) and his method of thought-experimentation. In short, Duns Scotus failed to institute freedom, and this in part because he saw the end of freedom as an unspecified and unspecifiable free design of ends pursued for their own sake: "Transformed into love, the restlessness of the will is stilled but not extinguished; love's abiding power is felt not as the arrest of motion... but as the serenity of a self-contained, self-fulfilling, everlasting movement." (Arendt 1978, II, 145) For Scotus, the I-can is inherent in the I-will, and so his theory of freedom loses track of the external factors that can reduce contingency, minimizing the risk of a novel beginning without ever suppressing it completely.

Starting with Vico and continuing throughout Rationalists, the pursuit of an account of the free Will is subsumed by the goal of certainty and its overuse of the understanding. Arendt lumps all these accounts together under determinism, and opposes them to the post-Kantian attempt to 'personify' the Will as a concept *itself* capable of action, not as the will of this or that individual, but *as* a concept. Arendt derides the notion that a thought-thing could be the origin of events, while acknowledge the temptation of the French Revolution's "most thoughtful spectators" to see its cause in the concepts of liberty, fraternity, and equality. (Arendt 1978, II, 154) Arendt does not even argue against this effort to subsume the particularity of human contingency to the 'rainbow-bridge of concepts.' Instead, she derides it as "a veritable orgy of sheer speculation," "a disguised... radical abstraction," which was "neither regulated nor limited by any idea of reason." (Arendt 1978, II, 156)

Narratives focused on the linear development and progress of ideas were mired in a particular notion of history that denied the freedom of the Will in favor of the unfolding of Providence's design, no matter what name Providence actually operates under. We can only give an account of the thoughts of various thinkers, and align these ideas with actions and events, configurations and institutions. For instance, Arendt is careful to call Aristotle's use of *proairesis* a 'discovery,' rather than a development. Nothing came into being when he described it but a proposition about the world, and man was no freer when Augustine's philosophical accounts of the Will became properly representative for the phenomenon than he had been beforehand. Yet when properly instituted, the idea of 'revolution' *did* contribute to human freedom.

In *On Revolution*, Arendt makes much of the fact that the concept of revolution is a new one, which itself depends on positing a counter-intuitive proposition: that it is possible to jettison the habits of history and start from scratch. "The notion that there is such a thing as Progress for mankind as a whole,

that it is the law which rules all processes in the human species, was unknown prior to the eighteenth century and became an almost universally accepted dogma in the nineteenth.” (Arendt 1970) The concept did not exist as currently conceived before the revolutionary period of the late eighteenth century, and the problem, through which both American and French revolutionaries found themselves working, was how to enact such a radical break with the past.

Previously, the act of founding had always depended on history for its own authority; constitutions were conceived as re-constitutions, as restorations, reformations, renewals: “In the language of Virgil, the foundation of Rome was the re-establishment of Troy.” (Arendt 1990, 208) Moreover, the re-established institutions had an origin in the immemorial past, a mythic moment usually haunted by divine intercourse with humanity, like the education given to the Cretan king Minos by Zeus, or the divine commandments given to Moses .

What was so extraordinary about the revolutionary period of the late eighteenth century was its claim to be free of its own gods and ghosts. The revolutionaries imagined that they could start anew with all of the lessons of the past and none of its bad habits or old grudges. What Robespierre and Jefferson actually accomplished, however, was a founding act that carried much of the style of political life from their immediate past, absolute sovereignty in the French case and localized representation in tension with a distant authority in the American one. Though they learned lessons from Rousseau and Montesquieu, and, at least in the American setting, created institutions which carried the potential to radically transcend these contexts, the claim to be *sui generis* was clearly overstated. Yet at the same time, we would not want to say that these events did not introduce something new into the world: primarily, the innovation of these revolutions was the conception of political novelty itself. Augustine’s notion of novelty was too personal, too existential, to supply a properly political theory of history’s linearity.

Marx's idea, borrowed from Hegel, that every old society harbors the seeds of its successors as every living organism harbors the seeds of its offspring is indeed not only the most ingenious but the only possible conceptual guarantee for the sempiternal continuity of Progress in History.
(Arendt 1970)

The American Revolution provided a foundation “which now, for the first time, had occurred in broad daylight to be witnessed by all who were present.” (OR, 204) Its innovation was to introduce the notion that things *could* be different, that a new government under the sun *was* possible. In a sense, every legitimate exploration of revolution has to start here, with the notion of a beginning that humans can

make themselves, despite the fact that Arendt herself ultimately attempts to re-assimilate this hubristic sense of humanity's creative power under a temporality wedded to, and repetitious of, its own origins.

As Arendt notes, the word '*révolution*' underwent a surprising inversion during the eighteenth century.¹³

At the beginning of the century, it was used to denote the cyclical repetition of extraordinary changes and reversals, modeled on the cycles of the heavens, of nature, and of the quotidian human world, and seen only occasionally in the lives of states. During the eighteenth century, the French continually compared their stability to the political vicissitudes experienced in the rest of Europe, and formed a conception of revolution as something that happened elsewhere and always at great cost. If the English were cursed to experience frequent and mostly meaningless violent revolts, whose results were no more than the transfer of power, swapping monarchs but not regimes, so much the better for France. By the end of the century, revolution had become the means to end this circular history, and not just in France. By arresting the repetitive series of monarchs, revolution promised a fundamental rupture, an absolute break with the past, whereby a nation might realize a unique transformation of political life. Revolution promised a radical shift in the *distribution* of sovereignty.

The philological elements of this change appear to have been rooted in a series of texts celebrating the stability of the French system, such as the *Histoire des révolutions d'Angleterre depuis le commencement de la monarchie juspu'a present*. While these texts told a tale of the dangers of insurrection, focusing on the grave losses and ultimate futility of the seventeenth-century revolutions in England, they also demonstrated the possibility of revolt to an increasingly willing populace. This willingness was amplified by the Huguenots and other religious minorities who stood to benefit by even a nominal change in the regime if such a change could also change the patterns of state persecution and discrimination in their favor. Thus, the linguistic changes were the product of nearly a century of authorship, deliberation, and need, but the world stage upon which the French and American revolutionaries acted was significantly different than it had ever been before. There was a revolution in revolution:

"Nothing could be farther removed from the original meaning of the word 'revolution' than the idea of which all revolutionary actors have been possessed and obsessed, namely, that they are agents in a process which spells the definite end of an old order and brings about the birth of a new world." (Arendt 1990, 42)

Without asserting a direct causal connection between the change in the usage of word 'revolution' and the practice of politics, Arendt nonetheless maintains that developments in philosophy and theology could conceal or make manifest certain possibilities for political freedom. These manifestations also

carry certain lessons and limitations that could further constrain free actions. In the next two sections, I will explore the contours of these constraints.

V. **The Destruction of Freedom: Violence**

One of these constraints is violence. Violence, like revolution, is an activity that partakes of both world production and political deeds. I will argue here that Arendt's account of violence best explains the unequal relationship between politics and physical force, and that her account of revolution can best explain the 'making' of the political world. Weber's definition of the state as a monopolist of legitimate violence, itself a caricature of the Marxist theory of the state that allies the interests of the ruling class with the violent instrument of the police, crucially misunderstands the role of power in making violence efficacious. While strength alone can force the weak man to obey the strong one, the tyrant requires the strength of others to acquire the obedience of a whole nation. Even this is power and a form of legitimacy, insofar as it requires the consent of the army and police, who must still obey the commands of the tyrant while in possession of the true means of coercion. The use of violence to quell powerful dissent abroad inadvertently forges a cadre of bloody-minded men that cannot easily be dispatched, and that ultimately returns home disarmed, but still trained to substitute consent for obedience and violence for power. This is the course most often followed by totalitarian regimes.

While it seems obvious that coercion and the threat of force seem to play an essential role in the habituation of rule-following and the maintenance of order, this self-evidence is challenged by our knowledge of tyrannical and totalitarian regimes: the recourse to violence seems to spell the end of the rule of law. Consider that a small force of well-organized and well-equipped men can certainly hold off a large and disorganized mob. For instance, warlords frequently leverage a small advantage in men and weaponry to tyrannize and even starve regions in Somalia or Sierra Leone, monopolizing the food supply and using their capacity to distribute public goods like food and safety to create legitimacy. Yet some mobs become so focused on their goals that they gain an almost moral authority with which they overcome the weapons and cohesion of the same soldiers, willingly sustaining the loss of some of their number to overcome the strength of those few. We might refer to this as the imaginary dimension of power: that intangible mystique that transforms a man with a gun into a soldier or a law enforcer, and that, when lost, transforms him back again. How can we understand this phenomenon, viewable in settings as diverse as colonial India, where the many overcame a few, and contemporary Somalia, where a few regularly overcome the many? It seems clear that we are dealing with two incommensurable factors, which nonetheless conflict: organization and strength, we might call them, or morale and

armaments. In order to understand the common denominator of these two factors, the plane on which they are weighed against each other, I believe that we must have recourse to Arendt's typology of power and violence.

As is often the case, her usage of these terms is somewhat idiosyncratic, especially insofar as she attempts to meld a strict definition with the common usage, clarifying and regulating the sometimes ambiguous or conflicting common sense usages. She sums up the problem in her brief essay *On Violence*: "Violence can destroy power; it is utterly incapable of creating it." For Arendt, power is a characteristic of human collectivities: where a plurality forms, the potential for action becomes realizable. Power is inextricably tied to the phenomenological conditions of action, the plurality and natality of human beings inhabiting a hospitable world. It requires a group to whom an individual can appear as singular by instantiating a speech act or deed, i.e. an event, and a space of appearance in which that group can assemble so that the event can take place. Violence, for Arendt, is a perversion of that appearance, insofar as what appears to the members of the group is the possibility of impossibility. The violent one exposes her fellows to their own mortality by reminding the assembly of the risks of gathering together with others who, like themselves, are fundamentally unpredictable. She may seek to control their activities through this violence, to force them to obey her commands, or she may seek to disperse them and their collected potential for even more unpredictable actions, including mob rule and widespread violence. Thus, the common denominator of power and violence is potentiality: the unexpectedness of natality and mortality, the appearance and disappearance of possibility.

For Arendt, both power and violence are fundamentally singularizing phenomena conditioned by the plurality of human beings: where power designates the human ability to act in concert, violence emanates from a singular act whose explosive consequences are utterly out of the actor's control. The analytic distinctions in the first section suggest that willing and action both depend on historical and geographical context for their efficacy. If the plurality in which we act determines both the duration and the meaning of an action by its memory or forgetfulness, then this suggests that the act is in some way conditioned by that plurality, while remaining undetermined. In fact, Arendt acknowledges this conditioning in at least one way: the act requires spectators, so the plurality is a necessary condition for the act to be enacted at all. Thus, while it is not caused or determined beforehand, nor can an individual be forced to appear as a singularity, an act can still be made impossible through the annihilation of the space in which it would take place.

Though they usually appear together, violence and power are nonetheless opposites: "...where the one rules absolutely, the other is absent." (Arendt 1970, 155) The inseparable contraries of power and violence are best seen at work in the efforts of a democratically-controlled police force, where they work in tandem. When they come into conflict, however, the conclusion is foregone: violence wins. The "textbook case" of such a confrontation is the Prague Spring, when "the head-on clash between Russian tanks and the entirely nonviolent resistance of the people in Czechoslovakia" demonstrated the vulnerability of power in the face of violence. (Arendt 1970, 151-2) Of course, the encounter is usually not so unalloyed, and the violence necessary to subdue power is not always palatable to the state. Thus nonviolent resistance like that adopted by the Indian decolonization movement under Gandhi is quite capable of giving pause to an overwhelming force if that force is itself aware of the capacities and risks associated with violence: "To substitute violence for power can bring victory, but its price is very high; for it is not only paid by the vanquished, it is paid by the victor in his own power." (Arendt 1970, 152) Violence can always settle the present debate, even as it renders every subsequent discussion uncertain because of the fear that it will be settled as the murder settles the argument over the life of his victim: with a bullet.

Though Arendt herself does not note it, both 'power' and 'violence' have masculine etymologies. 'Power' is rooted in *potis*, the root of 'potential,' but also of possibility and potency, and indicates ability or capability. It seems to have cognates in masculinity: the Sanskrit *patih*, the Greek *posis*, and the Lithuanian *patis* 'husband, master, lord.' The same is true for violence, which derives from a combination of *vis*, 'force, strength' and *latum*, a form of *fero*, 'move, carry, produce.' *Vis*, from *vir*, from which we get our word 'virility,' itself derives from a proto-Indo-European word that probably means 'freeman.' We can read in these etymologies the history of chauvinism in political life, especially when we remember that even the word 'public' derives from the word Latin *pubes*: adult, pubescent, but also male. In this sense, the etymology tells the story of two forms of masculinity: the strong and the able, the brutal and the persuasive.

We can also see the growth of a theory of freedom in this etymology, misogynist though it might be. I can be free because I am able to best the coercive strength of my most violent contenders, yet when the weak gather together they can overwhelm me. Freedom is more easily sustained when we are free *with* others, rather than *against* them. Together, we are far more capable than apart; we can do more, multiply our potency, gather our strength, and harness our accumulated forces. Where privative

theories of freedom decry this fact and seek to limit our collective capacity, positive accounts like Arendt's are more interested in yoking and nurturing the power that emerges between us.

That said, Arendt's conception of power is not simply a matter of subsuming our efforts under the aegis of collective intentions. When we act before others, even when we act at odds with the plans and desires of the plurality, our actions are preserved in memory, ramifying their consequences. In the memories of others, my words and deeds survive my death, freeing me from the constraints of mortality and granting them greater force and efficacy than I can lend them from my own vital energies. In exchange for this amplification, I must sacrifice the mastery and authorship that a purely private act or deed allows me. I cannot be sure of the consequences of an action whose empowerment depends upon the actions of others. I can only set it in motion.

Because action endangers the world in this way, Arendt associated it with a form of trespass, a transgression of the open space of appearance in which actions occur, as well as a violation of the stability of the world whose ripples and consequences are ever beyond our control. Perhaps the most troubling element of action is that it forecloses the plurality, fills the space constituted by the relationships among Many with the act of One that might sever our connections. Any action might hold the seeds of this instability, and so every actor takes what seems like an unjustified risk. The only justification available is that this risk is tempered with a miraculous and revitalizing potential. She wrote in *The Human Condition* that these minor trespasses and violations are "an everyday occurrence... the very nature of action's constant establishment of new relationships within a web of relations, and it needs forgiving, dismissing, in order to make it possible for life to go on...." (Arendt 1958, 240) Common forbearance requires these quotidian reconciliations.

Arendt assumes that power is tied to consent, and that consent can be coerced, but it cannot be forced. Fear of death may lead me to side with policies I would not otherwise support, but I must also shift my desires and efforts to back the strongman. Power disappears when violence achieves "social atomization, the disappearance of every kind of organized opposition." Fear of death drives those who live under its threat into the shelter of whatever private spaces they have left. "Left to its own course its end is the disappearance of power...." (Arendt 1970) But of course, only death itself can dissipate the Will completely, so there is always the potential for action, even though its principle condition of possibility, plurality, is lost.

In this section, I described the common denominator of power and violence, and developed an account of the role violence plays in reducing the possibilities of politics. In the next section, I will attempt to

explain the phenomenological basis for this account, dwelling particularly on the role of immiseration and suffering in reducing our capacity to act in concert.

VI. The Limits of Freedom: Misery

Arendt's comments on *les misérables* or *les malheureux* are generally taken as evidence of a conservative elitism, especially because she hangs so much of her account on Edmund Burke's unsympathetic account of the French Revolution. Rancière has accused her of contempt for the poor, because she is not willing to attribute their misery to the regime in which it occurs, "as if these people were guilty of not even being able to be oppressed, not even worthy of being oppressed." (Rancière 2004, 299) He argues that the Arendtian distinction between the public and social realms is ultimately an attempt to justify the exclusion of the many from politics: "the radical suspension of politics in the exception of bare life is the ultimate consequence of Arendt's... attempt to preserve the political from the contamination of private, social, apolitical life." (Rancière 2004, 301) For Arendt, it is not that the poor *ought not* find relief politically due to some absence of moral desert, but that they *cannot*: the political realm is ill-suited to the task of rectifying the disabling elements of economic inequality. By way of response to Rancière's charge, I will attempt to justify the Arendtian intuition that a mental faculty, the Will, can have an external condition of possibility.

In her effort to defend the liberal division between public and private, Arendt's work takes up the account of privation and misery associated with poverty and back-breaking labor. From the start of *The Human Condition*, Arendt continually asserts that repetitive, thoughtless labor in the service of biological necessity is inimical to politics and action. While she grants that politics must happen amongst the living, and that the political animal is in part an animal, with an animal's body and an animal's needs, she takes this animality to be at odds with any politics worthy of the name. If what appears in politics is the action of a principled individual, than a laborer has no principle to offer but hunger.

Her reflections on this matter are rooted in the Aristotelian tradition of civic republicanism, in which poverty and greed are always relegated to the activity of the unfree. Like Aristotle in the *Politics*, she equates the brutish life of a slave-laborer with the grasping of a luxuriant bourgeoisie plagued with abundance but always in search of *more*. While she does not grant Aristotle his natural slaves and instead predicates the possibility of politics on a radical isonomy based in the capacities of novelty and responsiveness, she sees the tasks of labor as incommensurable with the possibilities of politics. No more than natural slaves, she could not abide the legal and conventional forms of racist enslavement, but not because of the injury done to all humanity through the reduction of some of their number to

mere means, but because she was “convinced of the incompatibility of the institution of slavery with the foundation of freedom.” (Arendt 1990, 71) In other words, the legal and philosophical apologies for barring the entry of laborers into the public sphere were unpalatable to Arendt because these classifications require a separate status for citizens and inhabitants to be instantiated. As humans, some among the number of any slave class would not have their natality so easily foreclosed.

In part this is because she believed that politics could not satiate the needs of the needy. She speaks of *les malheureux* always as threatening to ‘overwhelm’ the public sphere with the ‘boundless suffering’ of private needs: “It was necessity, the urgent needs of the people, that unleashed the terror and sent the [French] Revolution to its doom.” (Arendt 1990, 60) The worst thing that can happen to a regime, she argues, is that it become overly piteous, feeling the suffering of others so keenly that it turns its attention away from novelty and individuation of the political sphere and towards the satiation of infinite needs. Arendt’s distinction between compassion and pity, borrowed from Dostoyevsky’s Grand inquisitor, bears repeating: the co-suffering of one person with another is an important element in closing the distance between people, but the task of properly feeling-with another is precisely its limit. Pity maintains distance between myself and the other, and can accommodate the needs and sufferings of the multitude: where compassion infects us, making us ‘stricken in the flesh’ with the pain of the other, pity merely ‘feels sorry’ for the other’s pain. This sentiment of abstract remorse at the pain of all others is available for cultivation, enjoyment, and glorification. (Arendt 1990, 89)

Since politics can only attempt to address the infinite needs of the multitude with the instruments of power and coercion available to it, it will tend to alleviate suffering by importing the state’s juridical and regulatory powers into the realm of private needs and bodies. Thus, the police power, intended to preserve the safety of the citizenry as a man might look to his own self-preservation, becomes expanded to include the health, welfare, and even the hygiene (both physical and mental) of a population. In the process, we threaten to undermine the space where other goods are supplied. There, both actors and sufferers can appear and be recognized as singular. There, pity can be translated into policy. It falls to those who criticize Arendt’s theory of political action as elitist to articulate an account of suffering that does not also have this politically incapacitating character.

Chapter 3

The Actor Theory of Judgment

In the last chapter, I described an account of willing that was unthinkable novel yet could be well or poorly utilized, and thus leaves room for deliberation regarding the best means fitting for a given end. One possibility is that Arendt intended to flesh out this account of self-undermining willing so as to engage in a critical evaluation of the limits of action. Judging, then, would be the pre-active deliberation required to act within the institutional constraints of action. In this chapter, I will address this theory of judging as judicious action, asking: what is entailed by an actor theory of judging, and could Arendt have supplied it? How can we judge our actions before we have undertaken them?

I. Revolution, Insurrection, and Antipolitics

The Hungarian Revolution of 1956 began on the afternoon of October 23, when students' and writers' groups gathered for a large march through Budapest that toppled the puppet government. Between October 23 and November 4, the Hungarians managed to hold off a Soviet counterattack by begging for international aid. The Soviet's reluctance to use violence under the watchful eyes of the world kept the military stationed in Budapest from restoring communist rule immediately. Only when the British and French became embroiled in an invasion of Egypt in an effort to restore British control of the Suez Canal did the Soviets begin to violently recapture Hungary. During these twelve days of unchallenged freedom, Hungarians frantically engaged in a scramble for political leadership through an apparently spontaneous formation of representative councils. In less than two weeks, a ragtag group of *literati* overthrew the government and forged a vibrant political structure and an impressive resistance with the Hungarian working class. These councils appeared as an explosion of democratic self-organization that formed both the beginnings of autonomous political institutions and the core of an ardent self-defense that took the better-equipped Soviets three weeks to crush.

In the second edition of *The Origins of Totalitarianism*, published in 1958, Arendt appended a commentary on this brief insurrection, in which she sought to apply her insights into the historical origins of totalitarianism in imperial domination of other cultures. She sought to alter her account of modern Nazism and Stalinism to fit the Hungarian situation. Totalitarianism, Arendt argued, combines national unity and ideological purity with the administrative apparatus of imperialism. The result is an unprecedented degree of state involvement in the everyday affairs of its citizens. Totalitarian regimes

destroy communities in favor of a purely statist administration of personal, economic, and cultural life. On Arendt's view, the horizontal relations of communal life are dissolved in favor of vertical relationships to the regime, such that each citizen loses the network of family, friends, colleagues and associates that constitute human life, and are left with nothing but a dependence relationship to the state. Isolated from their fellows, plurality becomes impossible, and with it, politics dies. These horizontal relationships are necessary for unexpected configurations to emerge, and serve as the foundation for political action.

Though it was removed from subsequent editions as events complicated her original analysis, "Totalitarian Imperialism: Reflections on the Hungarian Revolution" notes that a state which seeks to achieve this totalitarian breadth can be stymied by a recalcitrant public, if that public manages to maintain its interrelations rather than completely succumb to state management. She wrote: "The Hungarian people, young and old, knew that they were 'living amidst lies' and asked, unanimously and in all manifestos, for something the Russian intelligentsia apparently has even forgotten how to dream of, namely, for freedom of thought." (Arendt 1958, 26) However, this quest for freedom of thought did not provide the tools for the insurrection, rather it was one of the demands advanced by the revolution which was organized around the freedom of association "[...W]hat carried the revolution was the sheer momentum of acting-together of the whole people whose demands were so obvious that they hardly needed elaborate formulation: Russian troops should leave the territory and free elections should determine a new government." (Arendt 1958, 26) In the wake of the insurrection's failure, however, the rights to associate and organize were the ones withheld by the Soviets, while markets and censorship were liberalized. Why?

Arendt's insight in the Soviet manner of imperial domination, in which it attempted to project a totalitarian regime form abroad, was to note the way in which they subverted future insurrections by granting the auxiliary demands for freedom while preserving their domination: she argued that when the Russians suppressed the possibility of further insurrections by dissolving the councils, many Hungarians were satisfied with the increased freedom of social institutions like the free market and the freedom of speech. Yet as Arendt notes, the course that the Soviets took in the wake of a failed revolution is quite similar to the development of institutions in the wake of successful revolutions: the same distinction between the free association and the means of freedom of thought is subsequently lost, as the fervor of ad hoc organizing in the name of self-liberation gives way to the difficulties of governance.

The crucial distinction here is between political parties and ad hoc factions. For Arendt, the insurrectionary system of representative councils trumps the multiparty system that many demanded in the face of the rule of the Communist party: "The rise of the councils, not the restoration of parties, was the clear sign of a true upsurge of democracy against dictatorship, of freedom against tyranny." (Arendt 1958, 32) When political action begins to cohere around prudential organizations of interests, these councils must give way to institutionalized factions of the parties. However, she argued that the formation of councils, unlike parties, reflects the most primordial form of the freedom of action: these were the pluralities in which singularity could be fixed and the unpredictable unleashed. This analysis was apparently mirrored by the Soviets: when they returned, it was to these revolutionary councils that they directed their punitive attentions, jailing thirteen thousand of their members, and executing approximately three hundred and thirty. Arendt argued that from this, we can conclude that the Soviets prioritized the risks of action over those of thought: "The first blow of bloody oppression was directed against the Revolutionary Councils, the organ of action and representation for the people as a whole. After the nation had been once more reduced to impotence, freedom of thought was adamantly and without the slightest concession stamped out." (Arendt 1958, 33) After political and intellectual liberties had been rooted out, it was no longer necessary to enforce most of the worst economic repression: grassroots trade organizations were replaced with communist trade unions, but the peasants did not return to their farming collectives. It remains to be seen whether it was thought or action that was in truth more dangerous, but clearly it was not free markets that the Soviets feared: instead, it was something about the potency of deliberative conflict, small-scale representative leadership, and the uncontrolled horizontality of these relationships that troubled the Soviets.

In assessing the failure of the Hungarian revolution, Arendt argued that it was due to the uneasy tension between totalitarianism, which requires subtle infiltration and support from the citizenry to accomplish its ends, and imperialism, which is enacted by violence and attempts to supplant politics with force: "the conquest by the might of the Soviet empire was enacted as though a seizure of power by a native party had taken place.... What Moscow did was to create exact replicas not only of its own form of government but of the developments that led up to it." (Arendt 1958, 41)

When the ideological and social developments of satellite states stubbornly failed to mirror the unique history of the Russian Soviets, totalitarian dominance had to be replaced with colonial oppression. Yet the purpose of Soviet administration was not economic exploitation, but rather remained political solidarity and ideological expansion. Thus it was both ineffectual and temporary so long as cultural and

linguistic autonomy was granted to the colonized peoples. Arendt held that totalitarianism requires an ideology, an overriding poetry of sameness, in order to function, and this was precisely what the 1956 revolution prevented in Hungary. In this sense, the Soviets were forced to make use of the colonial rather than totalitarian methods. The structure of Soviet satellite rule generally functioned to preserve the rule of the Russian ethnicity over the many Slavic ethnic groups: Magyars, Tartars, Ukrainians, and Poles. This ethnic conflict could always serve as the foundation for further resistance.

Ethnic recalcitrance appears to have characterized Hungarian Communism even after the revolution was rebuffed by Soviet invasion. As outsiders, the Soviets were unable to establish a firm state apparatus that could supplant the various networks of resistance, and so Hungary developed a unique form of communism, led by a Hungarian, János Kádár. In order to achieve legitimacy, a package of economic and intellectual liberties was put in place, reintroducing in reverse the freedoms stolen by the Soviets. Under the relaxation of censorship and freedom of thought, a burgeoning public sphere formed, which could not achieve political ascendancy because any action that promised regime change was suppressed by the ever-present threat of Soviet reinvasion. Instead, this civil society became a hotbed of artistic and intellectual efforts, as well as creating a substantial black market, and many of the works it distributed were satirical or implicitly political.

While most political theory recognizes the value of deliberation, it commonly separates deliberation and decision from action and execution. This separation substitutes civil society for the public sphere, so that procedures take the place of participation and speech becomes disconnected from deeds. In this chapter, I will argue that occupied Hungary (as well as neighboring Poland and Czechoslovakia) served as a *failed* experiment in this substitution, which I will call 'publicity without politics.' These experiments were conducted by groups without a legal relationship to the state or any hope of achieving changes in public policy. Following Jürgen Habermas, this Eastern European model of civil society has been embraced by many democratic theorists, and as a result we have imported a model of the public sphere in which we occupy the same position as censored dissidents. In particular, I fear that we have become attached to our self-image as the permanent opposition, and when we strictly delimit thought and politics, to the detriment of both.

Unfortunately, this model of civil society has gone from a necessary limitation of the robust public sphere to a coveted end-unto-itself, preferable to direct involvement in self-governance. In his 1982 book of essays, *Antipolitics*, the Hungarian novelist György Konrád asks: "How can we strengthen the horizontal human relationships of civil society against the vertical human relationships of military

society?" (Konrád 1984, 74) The solution, he argues, is to "let the Government stay on top, we will live our own lives underneath it." (Konrád 1984, 198) Konrád 's essays suggest that the solution to Soviet imperialism will eventually be realized by modeling a free culture, where civil society would forgo the pursuit of political autonomy and devote itself to honing the practices of freedom: literary production, rhetorical efficacy, and wisdom.

According to Konrád, this self-education in freedom would serve "as an advanced payment on democracy." (Konrád 1984, 182) Since the state could not be run by Soviets, and there was insufficient support in the population for a pervasive secret police or spy network, the only censorship available in Hungary was a mild form of economic prejudice against dissident intellectuals. Certainly, frank criticism of the state was impossible in the state-managed media, but satirical depictions, secret self-publications, and private, thoughtful conversations were all available to those seeking them, and dissidents who confined their dissidence to these pursuits were not even jailed, according to Konrád. (Konrád 1984, 173) Moreover, the state censors only performed their duties grudgingly, and the political police were powerless to silence this civil society, since they too preferred the perspicacity of the critics to the propaganda their jobs demanded. Thus, this underground civil society became the public that everyone knew about, and the works evaluated and the opinions debated there were evaluated by the whole public: "In contrast with the secrecy of the leadership, antipolitics means publicity; it is a power exercised directly over society, through civil courage, and one that differs by definition from any present or future power of the state." (Konrad 1984, 231) To write literature and discuss events in this civil society became the new ideal of courage, a 'direct exercise of power' that needs no institutional framework, and excites because it constantly exposes the author or artist to the danger of state reaction. But the danger that is even greater than the physical and economic risk is the ephemerality in the absence of institutional memory. By acting at odds with 'the future power of the state,' the work of the civil society is constantly under threat that its products will be lost, destroyed, forgotten, or rendered irrelevant by state action.

Konrád calls the result 'antipolitics,' a word he coined to describe a mode of public involvement and communal engagement devoid of concern for traditional forms of governance or regime-steering.

"Antipolitics neither supports nor opposes governments; it is something different. Its people are fine right where they are; they form a network that keeps watch on political power, exerting pressure on the basis of their cultural and moral stature alone, not through any electoral

legitimacy. That is their right and their obligation, but above all it is their self-defense. A rich historical tradition helps them exercise their right.” (Konrád 1984, 231)

Under this no-longer-totalitarian regime, moral authority supplants political authority, and the monopoly on violence gives way to the monopoly on truth. The capacity to exercise power without holding the reigns of government or managing the affairs of state strikes many intellectuals as appealing, and so what started as a necessity for dissidents has become an ideal. This opposition between state power and reason-responsive publicity has been fetishized by those who neither seek power nor attempt to destroy the state, but rather to channel the usage of power.

In part, this is because the situation of intellectuals in Eastern Europe is little different from that of Anglo-Americans, for whom political possibilities have to be channeled through partisan politics. A Hungarian dissident could coyly imply that the repressive efforts of the Hungarian state threaten to trigger another revolution and Soviet crackdown. By regularly presenting this threat to the state, Konrád argued that Hungarian intellectuals can play a remarkably effective game of brinkmanship. Based on this experience of the cautious balance of power between Soviet colonizers and colonial rule, Konrád suggested that this strategy could be extended from colony to colonial power. Many of his readers have embraced the goal of forming the intellectual class into a permanent opposition, who would neither seek power nor attempt to destroy the state, but rather seek to limit and channel the usage of power. Yet in a republic that attempts to guarantee political freedoms, the necessity of coyness is lifted. Dissenters can freely participate in their governance. Why would they choose to remain aloof from politics? Konrád suggests that the citizens of both democratic and communist nations are limited by the persistence of statist definitions of political power. We would all be better off, he suggests, if we took less interest in governance and more interest in the evaluation of norms and values.

“When there is parliamentary democracy but no self-administration, the political class alone occupies the stage. The people's role is limited to choosing, from among various candidates, those who will shine upon this stage. The visible part of the stage is the screen. The politician talks, the viewer listens. Until the next election, the viewer has only the same rights as the citizen of Eastern Europe: he can turn off the television. The interesting thing about direct democracy is that the audience takes an active part, too.” (Konrád 1984, 137-8)

This description is all too familiar from contemporary Anglo-American political journalism, in both the emphasis placed on elections and the impotence experienced by the populace during the terms between them. On any account of democracy that emphasizes voting over the other political liberties,

the only influence a citizen can exercise upon an elected official is to threaten to vote against her in a future election. However, an intellectual can move the opinions of the public with her intelligent criticism, as well as her wit, sarcasm, and connections.

In Arendt's model of political engagement, these journalistic accounts of political deeds serve the same function as the poet's account of military victories: in both cases, they participate in the determination of the action's consequences under the guise of plumbing its meaning. This forces us to ask: does the evaluation of options and the culture of the politicians trump the political possibilities of action? Is the public sphere put to better use when it disseminates ideas than when it displays the actions of individuals? Arendt's insistence on the primacy of deed over speech is not merely nostalgia. On my view, she understands something about politics that Eastern European intellectuals had to force themselves to forget.

II. **The rule of No Man: Bureaucracy and Proceduralism**

In this section, I will illustrate the problem of bureaucratic governance within Arendt's theory of democratic legitimacy. Given Arendt's general disgust with the system that produced and empowered Adolph Eichmann, it is no surprise that her account of bureaucracy takes a trope from the *Odyssey*, when Odysseus tells the Cyclops that his name is "No Man," before blinding him. When the Cyclops seeks the aid of his fellows, he blames 'No Man' for his injury, causing them to attribute the blow to the gods. "If no man hurts you, it is the stroke of Jove and you must bear it," they say. Odysseus thus escapes the consequences of his actions, and in the same way bureaucracies distribute responsibility in such a way that 'No Man' can be held responsible for their decisions. The same limited liability upon which the corporate business bases its risk-taking becomes a technique of governance that removes an important component of democratic accountability.

A fundamental question confronts all democratic theorists: why is it better for a people to govern themselves rather than submit to the dictates of some subset of their number? We traditionally speak of politics as a decision-theory, so that a form of government that depends on bureaucracy is no more or less just than any other: everything depends on the characters, or perhaps simply the decisions, of those who rule, no matter whether we call them administrators or aristocrats. However, Arendt's conception of willing is fundamentally at odds with the account of metaphysically prior volition that I have just given. Though willing is a mental activity, the will is "the mental preparation to *join* my fellow man,"¹⁴ and as such, its choice is constrained by the forms of plurality available. Willing depends upon the world

for the plurality in which it acts, which supplies both the possibility of appearing as a singularity and the tradition against which novelty can be remembered as such.

Arendt often referred to the spontaneous development of councils in revolutionary settings when explicating the ideal institutions of political life. On Arendt's account, the councils of the Hungarian revolution closely resembled the Constitutional Congress and ward system proposed by Jefferson as an alternative to political parties, the ad hoc groupings of citizens during the French Revolution, and the *soviets* that succumbed to party unification after the Russian Revolution. Everywhere, the building blocks of politics seem to form the same basic shapes, only to be assembled into different forms due to ideologies, foreign pressures, or historical ideals. The councils predate the formation of interest groups, they federate easily and advance their most excellent members as representatives to more central councils. The councilors are principally concerned with the establishment of the *polis*, and so strategy often succumbs to republican altruism. In the US and Europe, lacking as we do anything approaching a revolutionary context, the institutions that most closely resemble councils are deliberative polls.

What the councils, wards, and townships all have in common is that they enact a vision of democratic politics in which democracy is understood as *isonomy*, meaning equality both before the law and in the legislation. Consider the account of Otanes given in Herodotus' *History*:

"[T]he rule of the multitude [plêthos de archon] has... the loveliest name of all, equality [isonomiên]... It determines offices by lot, and holds power accountable, and conducts all deliberating publicly. Therefore I give my opinion that we make an end of monarchy and exalt the multitude, for all things are possible for the majority." (Herodotus 1982, 3.80)

Here Otanes identifies democracy with the strict equality accomplished through lots, rather than election by popular balloting. Though this might seem too random when compared to the collective choice of representatives, the appeal of this vision of isonomy is that the lottery supplies an equal opportunity for rulership to each citizen, guaranteeing equality well in excess of the American ideal of equality 'before the law.' For the Athenians, this equality is only possible when combined with two forms of accountability: that accounting by which an officer must give an accurate tally of expenditures during the administration or be held liable, and the figurative accountability by which the officer owes his fellow citizens his reasons for the decisions made in the public deliberations before, during, and after the decision is taken. Obviously, the use of lots only functioned insofar as citizenship was radically restricted, and Otanes justifications for the 'rule of the multitude' fell flat against Darius' account of the tendency of all regimes to fall into monarchy insofar as both oligarchies and democracies produce

agonistic tensions from which one man eventually emerges the victor and is designated the most excellent and the wisest of the contenders. (Herodotus 1982, 3.82)

The three norms of isonomy are mutually reinforcing: equal participation requires that the office-holder act with the understanding that she might be replaced by any other member of the community. She cannot abuse her office without being held to account at the end of her term. For the same reason she must regularly give reciprocally recognizable justifications for her actions, without which her decisions might be reversed by the next office-holder, or even punished when her office no longer protects her from prosecution. The ideal result of such a regime is a strong preference for deliberation, consensus, and mutual respect, alongside a cautious honesty and transparency with regard to potentially controversial decisions.

The reverse of isonomy is bureaucracy. Arendt worries that the development of the administrative state caused the dissipation of the faculty of willing. It is certainly controversial to claim that we are less free today than we were one hundred years ago: among other things, it raises real questions about the identification of a 'we,' especially when some of the fruits of the bureaucratization and centralization of US political life have come in the form of increased protections for minorities from state and private prejudice and a host of programs designed to alleviate poverty. Yet the greatest irony of 'the lost treasure of revolution' is that the supremely democratic efforts of labor groups, community activists, and the deliberative elements of the public sphere accomplish unprecedented victories in the last century, but these victories led to policy decisions that undermined the very democratic activities that made them possible. The potential for further 'progress' dissipates as state-centric solutions to economic and social problems lead to an increasing reliance on the institutions that make up what we now call the 'administrative state.' However, this is not simply a matter of kicking aside the ladder once we have ascended. The condition of possibility for future endeavors cannot be sustained without maintenance: public policies must appear, along with the officials who administer them, in public spaces where they can be understood, evaluated, and amended at will. This space must also be open for the appearance of unexpected individuals, encounters, and acts; the only thing that closes that space is violence.

In his book *Democracy's Discontent*, Michael Sandel identified this problem as 'the curse of bigness,' a phrase used by Louis Brandeis to describe the deleterious effects of the expansion and centralization of business and government. (Sandel 1998, 212) As organizations grow, they become increasingly inaccessible and procedurally rational. Their capacity to remain accountable to their constituents is

inversely proportionate to their efficiency. In Arendt's terms, large institutions replace the public sphere, which provides opportunities for individuals to appear through deeds and speech, with a regulatory apparatus ruled by speech codes and language games. Expert bureaucrats may not always suffer from Eichmann's incapacity to translate between their specialized jargon and a common moral language, but their reliance on complicated schemes like insurance or subtle changes in the promulgated regulations makes it difficult for non-experts to engage as equals in ascertaining the relationship and judging their efficacy between policy measures and policy goals. We live in what Sandel calls a 'procedural republic,' where both the forms of administrative power and the plural character of the citizenry prevents effective deliberation regarding the public good, and denigrates collective action in support of thick cultural values beyond basic fairness.

The bureaucratization of political and economic life begins with by assuming the unity of the political and economic system, and seeks to understand and erase the accretion of habits, hierarchies, strategies, and values that preserve non-optimal modes of distribution and forms of life. This assumption is undoubtedly well-founded by the evidence, both empirical and anecdotal: my scholarly world has quite a large number of desks in it. But the superiority of the techniques of bureaucratic management is most easily shown when these methods are measured by their capacity to efficiently and legitimately distribute goods. In this sense, praise of bureaucratic efficiency begs the question: efficiency is certainly the ideal for economic management, but is politics reducible to economic management?

Max Weber attributes the growth of bureaucracy to gains it can supply for the efficient production and distribution of goods. Bureaucracy trumps other forms of governance first and foremost by divorcing officers from private ownership of the tools of their office. "No single official personally owns the money he pays out, or the buildings, stores, tools, and war machines he controls." (Weber 1958) This reduces the degree of graft and corruption, which, even when legitimated by the merchant's or prince's claim to personal ownership of the firm or the state, introduces uncertainty and increases transaction costs. The public nature of the administration requires office-holders to enact regulations that maximize consistency as a means of preserving the distinction between private property and the tools of office in order to accounting for their services, and to distinguish an administrative office from a sinecure or a rentier's unearned profits. Thus bureaucratic forms of government tend to be formalistic with regard to means and utilitarian with regard to ends. The effect, however, is one of increasing efficiency and rationalization, since these rules have a generalizing effect on the practices of the state or the firm.

“Experience tends universally to show that the purely bureaucratic type of administrative organization... is... capable of attaining the highest degree of efficiency, and is in this sense formally the most rational known means of carrying out imperative control over human beings. It is superior to any other form in precision, in stability, in the stringency of its discipline, and in its reliability. It thus makes possible a particularly high degree of calculability of results for the heads of organization and for those acting in relation to it.” (Weber 1968, 223)

The rules and regulations promulgated allow for economies of scale to develop, and so, without being determined by the immutable laws of nature or history, the human actors who make up economic markets will tend to prefer this sort of regulation. The fact that it smoothes succession and guarantees consistent management across officeholders becomes more important than the gradual coalescing of domination in the hands of depersonalized and expropriated bureaucrats.

The alternative is arbitrariness, which would tend to disadvantage some at the expense of others. In such a situation, rationalism develops organically from the self-interest of those who stand to be hurt, thus “formalism is the line of least resistance.” (Weber 1947, 340) Of course, there are opposing tendencies in multi-party state systems where benefits accrue to those in power disproportionately to their actual contributions, such as the United States before the first set of progressive reforms, and arguably today. Then, bureaucratic expertise was devalued at the expense of an expropriative ‘machine’ that fed the ambitions of party bosses, that Weber called “amateur administration through booty politicians.” (Weber 1958) In such states, exclusion from regular participation in governance has detrimental effects both economically and culturally, which is why parties will sometimes pursue irrational goals in the name of regaining control of the administration. “Setbacks in participating in offices are felt more severely by parties than is action against their objective goals.” (Weber 1958) Weber theorized that an unpartisan and wholly rationalized bureaucracy was impossible, however: “One cannot speak of a transition to an economy that in our sense could be called socialist; a bourgeois economy will re-emerge, merely stripped of the feudal elements and the dynastic vestiges.” (Weber 1958)

Since the struggles for honor, dominance, and class can only be modernized, but cannot, in Weber’s view, be completely suppressed, the means by which parties struggle for offices must be submitted to a process that maximizes rationality and rewards expertise. This has been the effect of ‘modern’ civil service reform, and especially of the professionalization of the administration. One of the most important ways that bureaucracies have gained ascendancy is their tendency to place the steering

mechanism of state policy in the hands of technocrats: specialized experts whose educational qualifications for office give them the knowledge to maximize the usage of technically superior means to accomplish economic and social goals.

Here we have the crux of Arendt's problem with bureaucracy: when the state is organized around the formalism, technical expertise, and instrumentality of bureaucratic forms of management, the citizenry is too divorced from their own self-governance. Since they cannot understand the means by which policies are accomplished, they are increasingly divorced from the process of setting ends. Because they lack the expertise to properly judge the efficacy of a policy with regard to its clearly delineated goals, citizens lose the capacity to set policy goals at all. Any policy goal that does not have a clearly defined strategy or a concrete end in view effectively *cannot* be the subject of citizen complaint or demand. Moreover, technocrats are empowered to substitute ends of their own through a simple deception: they need only claim that their strategies are the best for accomplishing a stated goal while their expert knowledge suggests that an unstated goal will in fact result. If this deception is truly efficacious, it may even bamboozle later office-holders, who inherit a set of practices with the administration, but are not necessarily knowledgeable enough, or politically capable enough, to adjust the strategy once it has been entrenched.

In her work on imperialism, Arendt suggests that techniques used to rule subject peoples in the empire's periphery were eventually re-imported as techniques for governance for the European core nations. In part this involves the substitution of violence for power and of force for legitimacy. This substitution is at the root of the administrative state, which combines the violent destruction of voluntary and plural associations with the imposition of alien affiliations based in ideological justifications. This technique becomes totalitarian when it is catalyzed with bureaucratic secrecy and intensified by the state's entanglement with every level of society.

The irony of this technique is that its very efficacy assured that the Europeans would eventually direct it back upon themselves. The strategies for the violent imposition of rule were transferred from the colonies to the imperial center through an analogical expansion of the concept of race and the reassignment of most inventive and brutal of colonial personnel. Arendt calls this the 'boomerang effect,' which she summarized two decades later in the *New York Review of Books*:

"The much-feared boomerang effect of the "government of subject races" (Lord Cromer) upon the home government during the imperialist era meant that rule by violence in far-away lands would end by

affecting the government of England, that the last "subject race" would be the English themselves."
(Arendt 1969)

Colonial administrators ruled by decree backed by the threat of violence, since there could be no question of true legitimacy for their violent exploitation, at least not at first. However, colonial administration eventually attempted to replace violence with a softer form of power, and in so doing to maximize the efficiency and stability of their colonies.

These softer strategies depended on the imposition of a theory of the difference between colonists and natives upon their newly conquered subjects based on biological 'race'. They accomplished this by complicating the basic theory of hereditary biological differences in order to make room for superior and inferior subject peoples, transferring the administration to local elites who now understand that their status depends on the continuation of colonial rule and of the particular ideology of race from which they derive their local superiority. The boomerang completed its flight when the colonial administrators return to their home countries either as a reward for their success or because of the transfer of colonial rule from one imperial nation to another through treaty or warfare. Upon their return, they managed to reemploy these colonial techniques in their home governments.

Arendt conceived of racism, like communism, as an ideology: a saturated concept that subsumes other phenomena, and crowds out the distinctions required for thinking. On Arendt's view, ideologies are unfalsifiable because all exceptions or apparent aberrations are treated as opportunities to elaborate and complicate the basic theory. The sphere takes on this sort of importance for Ptolemaic astronomy: inaccuracies are explained through further spheres, epicycles, and circular retrogressions. Unlike an epistemological paradigm, however, ideologies spread themselves throughout daily life, extending beyond their empirical basis to become the central metaphor of both private and public life. In part they accomplish this through the institutional dissemination of the state, where their persuasive power is backed by the threat of violence. In part, however, these ideologies are rooted in metaphors that contain within themselves this expansionist tendency: whether based in a theory or History or Nature, all ideologies share the basic capacity to break down the barriers between concepts in the name of holism or totality.

Racial ideologies are the medium through which colonial administrative racism, used as a tool to govern distant conquests, was returned home to roost, where it became the familiar intra-European racism in which race was applied by the imperial powers to their own self-governance. By developing demographic distinctions within their home population into racial or ethnic identities, the European

states found that they could muster greater control over their subjects than over an otherwise undifferentiated nation or people. Rather than voluntary associations or affiliations based in common interests, ethnic divisions created groups with nothing but blood in common. By administering its own populations through the lens of race, a state could destroy the spaces of mutual appearance in operation. Thus, even a bureaucratic state that begins with the goal of perpetuating racial privileges ends by destroying the foundations of home rule.

Compare Arendt's position to Theodore Lowi's conclusions in *The End of Liberalism*, where he argued that the administrative state fundamentally alters the modes of political action available to citizens: "by building representation upon the oligopolistic character of interest groups, reducing the number of competitors, favoring the best organized competitors, specializing politics around agencies, ultimately limiting participation to channels provided by pre-existing groups." (Lowi 1979, 63) The coalition-building necessary for electoral success in a large population bureaucratizes political action.

Accomplishing policy goals requires citizens to act in concert with others who share their interests, whether these are economic or related to a shared sense of justice. In a large electorate governed by bureaucratic agencies, these interest groups become the dominant form of political belonging, since they are the only groups who can make themselves heard in the cacophony, and thus the only groups in which political action is rewarded with recognition and occasional success. Since interest groups themselves require decision procedures in order to organize the activities of the group, the internal politics of such groups will tend to become procedural and administrative as they grow, developing an expert and jargon-laden culture in an effort to model the desired outcomes in the bureaucracies they seek to effect.

This bureaucratization of the citizenry forecloses the possibilities of action that interest groups are initially formed to supply. Eventually, even oppositional groups will organize in this way, and as they cement their status as minority interests the organizational form achieves ubiquity. Interest group liberalism differs from the traditional liberal state insofar as minority interests are protected not primarily by universally-possessed rights, but by membership in a group that achieves electoral success on a regular basis or constitutes an important support for such a party. Those citizens who attempt to steer the state without membership in a recognized interest group are ineffectual, outliers of no consequence.

III. Speech or Deeds: Habermas's Challenge

Much of Jürgen Habermas's work is an extension of another distinction derived from Max Weber, between goal-rationality and value-rationality: bureaucracy is very good at efficiently achieving goals, but not very good at evaluating them. Thus, a well-tuned bureaucracy can get a bridge built (under budget) in the middle of nowhere, or make sure the trains get to Dachau on schedule, but it does not have the tools to evaluate the normative elements of those projects.

'Juridification' is the word Habermas uses to describe the increasing bureaucratization of everyday life. Positive laws play an expanding and increasingly detailed role in our social relations. The term juridification can apply equally to the promulgations of the administrative state, workplace employment codes of conduct, license agreements on software, or TSA suitcase packing guidelines. Our lives are subject to a larger and denser thicket of rules and regulations, and we usually consent to this on the basis of the increases in efficiency, safety, or prosperity these rules supply. As the result, however, more and more of our lives are lived within the framework of goal-rationality.

Worse, the state cannot supply the majority of its citizens opportunities for meaningful participation without risking bureaucratic inconsistency. Only a highly trained bureaucrat can properly evaluate the effects of a rule regarding acceptable levels of some toxic chemical.¹⁵ Only bankers and economists can evaluate the effects of a Fed rate cut. At the same time, the state becomes subsidiary to the various spheres that supply it with resources and guidance: on the one hand the economic sphere, which requires the state for regulatory interventions backed by legitimate violence, and on the other the cultural sphere, which supplies the loyalty that legitimates that monopoly on violence. However, Habermas worries that the economic and cultural spheres are not equal inputs, which can lead to a legitimacy crisis.

In part, political institutions are more receptive to the modern infiltration of market matters than to normative guidance because they were originally developed as methods of peaceful compromise among rich and powerful stakeholders. Thus, it should come as no surprise that the state is more likely to make a law for economic reasons than for cultural reasons. It's generally in the business of balancing power amongst economic factions. However, Habermas argues that the effects of institutionalization are so great that we are in need of new forms of value-rationality, re-invigorated normative discourses, if we're to counter what he calls 'the colonization of the lifeworld' by administrative goal-rationality.

So, the state has become an institution devoted to steering the economic system through the application of organizational rationality, it is ruled by a coherent administrative logic, and its most

important task is to maintain prosperity and manage risk. Ordinary citizens access the administrative state through representatives and voting, which are supposed to supply the needed value-rational inputs for the political/economic system. In Habermas's model, the preferred method of community engagement is discussion of policies and values: normative deliberation. This kind of talk supplants more direct and participatory forms of political action, because ultimately our efforts are inferior to the activity of an institution that can bring economies of scale and good old organizational competence to bear on a problem.

Jürgen Habermas celebrates the space populated by eastern European intellectuals as the bourgeois public sphere, civil society, or simply the public. In so doing, he displaces Arendt's conception of politics, substituting a model of political action that is fundamentally inactive. In this model, discussing policies and values becomes the preferred method of community engagement, and normative theory supplants politics. In place of plurality, the state becomes an institution ruled by a coherent administrative logic, whose most important task is to maintain prosperity and preserve life by managing the risks and dangers that would otherwise result from politics. Without opportunities for meaningful participation in self-governance, the state becomes subsidiary to the various spheres that supply it with resources and guidance.

Habermas agrees that the modern infiltration of market matters into the political sphere is damaging to that sphere as it was originally developed: "The public sphere was burdened with tasks of settling conflicts of interest that could not be accommodated within the classical forms of parliamentary consensus and agreement; [the public's] settlements bore the marks of their origins within the sphere of the market." (Habermas, et al. 1991, 198) However, he argues that the effects of the public sphere on institutionalization are so great that the normative constraints of communicative rationality, which he lauds Arendt for rediscovering, must be applied to both the political sphere and the realm of cultural production, i.e. the market.

In Habermas's encomium to Arendt's political philosophy, "Hannah Arendt's Communications Concept of Power," he praises her for salvaging the concept of the public sphere that had become unpopular in the wake of Marxist anxieties about the bourgeoisie and the vanguard, and her return to a 'communicative' notion of power, meaning one that focuses the normative rationality of the practice of deliberation, especially after Max Weber's popularization of a conception of power as coercion that focused wholly on its purposive emphasis on decision. At the same time, he seeks to demolish the Arendtian typology of action, because in his estimation it fails to take account of the impact of strategic

competition on political formations in the “capitalist mode of production.” He accuses her of nostalgia, arguing that she “remains bound to the historical and conceptual constellation of Greek philosophy.” (Habermas 1977, 7) Finally, he articulates three weaknesses of the Arendt's conception of politics that, in his view, render it untenable:

“(a) she screens all strategic elements, as force, out of politics; (b) she removes politics from its relations to the economic and social environment in which it is embedded through the administrative system; and (c) she is unable to grasp structural violence.” (Habermas 1977, 15)

To paraphrase, Habermas alleges that Arendt's political theory is too idealistic with regard to (a) coercion, (b) materiality, and (c) privilege. Of these three alleged weaknesses, it is clear that Arendt would have denied the first, embraced the second, and shrugged at the third. Arendt's texts present us with all manner of tactical and strategic manipulations to belie Habermas's equation of force and strategy. Because her analysis of politics ranges over democratic and non-democratic periods, she can in fact imagine a much broader extent of strategic manipulations than Habermas is willing to consider. She enthuses on the political value of compromise and coalition-building, embraces public deception and propaganda, and is untroubled by corruption and graft.

Her only caveat is the warning in her essay “On Violence” that all strategies escape the strategists, and that the expert's best-laid plans inevitably flounder on unforeseeable obstacles. As we have seen, Arendt *does* attempt to shift the trajectory of politics from the administrative inertia that has lately skewed it towards some unknown and risk-averse *telos*, and she *does* prefer to focus on individual cases of injustice, not because she cannot “grasp” structural violence but because she worries that statistical modeling and process-oriented analyses remove the agency and responsibility from questions of justice. She attributes more structural violence to the bureaucratic form of governance, the ‘Rule by No Man,’ than to systemic preferences or prejudices, though she also finds such unequal protection of the law basically unpalatable in a democratic society.

At the heart of Habermas's critique of Arendt, however, there is a simple insight: that “a state which is relieved of the administrative processing of social problems... is unimaginable in modern society.” No matter how much Arendt might rail against consumer society or the loss of a durable, thoughtful world, all her historical analysis has not presented us with an alternative to the managed economy or the intrusive administrative welfare state, which disciplines as it distributes. *Laissez-faire* states leave the problems of regulation, poverty alleviation, and economic development to the free market, which creates deliriously market-driven *metropoli* hampered by inequality and collective action problems.

Citizens cannot resist the challenges of the modern world singly or without the help of state institutions. As Habermas asserts, a “*state-centered understanding of politics* can forego the unrealistic assumption of a citizenry capable of collective action.” (Habermas and Rehg 1996, 298) Yet Arendt presents compelling evidence in the form of Nazi Germany and Stalinist Russia to back her claim that the helpful intrusion of administrative states into the economy and family always threatens to become overwhelmed with ideology and terror. Between the threats of chaos and administrative tyranny, she offers only the tantalizing suggestion that such regimes can be avoided so long as the social world’s uncertainties continue to flourish free of constraint, and communities remain engaged in their own self-constitution.

The state faces a dilemma between unresponsive rational administration and overly responsive administration that loses the benefits of bureaucratic rationality, but Arendt holds both options to be equally damaging to political life and the life of the mind. As a result, we have no choice but to try to discern the relationship between politics, world, and thought, that is, between human agency, institutions, and judgment. Habermas’s work demands that thinkers adopt a liberal framework that accepts the ethical constraints that structure discourse in order to mold fair procedures for this administration, while downplaying the civic republican tradition of participation and non-domination over growth and happiness.

Habermas hopes to arrest the market’s inexorable progress towards inhuman social formations by subsuming its logic to the logic of the cultural element of the public sphere. Hence, he is less interested in the public sphere’s capacity to display singularizing action than in its capacity to harness the power of a plural and diverse multitude for the evaluation and selection of policy proposals, applying a coherent normative logic where only opinions and disagreements would normally predominate. Theorists disagree on the exact nature and extent of this logic, but there is no doubt that contemporary theorists are trying to discover it. In his ‘Ideal of Public Reason,’ for instance, Rawls places strong constraints of civility and reciprocity on matters directly related to political equality and freedom but places no such constraints on the background culture.

These disputes are sometimes based in first philosophical differences, as in Rawls’ emphasis on the freedom of conscience and speech under which reasonable citizens must engage with each other. Yet the result is the same: a denigration of popular, wide open political discourse, in favor of an institutional channeling of the horizontal relationships Arendt wished to leave unhampered. The presupposition of Habermas’s model of public reason is that the public sphere can and should be governed by discursive

ethics, that is, the norms of argumentative respect that prioritize reason-giving and truth-tracking over purely emotional appeals, rhetorical efforts, and strategic manipulation of credibility. In short, Habermas presupposes a public sphere free of propaganda, one that will not succumb to ideology and interest. He admits that “rational citizens... would not have sufficient reason to observe the democratic rules of the game [if they were to evaluate their participation empirically, i.e. strategically.]” (Habermas 1996, 295) However, he argues that the formal conditions of expressive utterances require deliberators to contest policies with a view to moral validity, since both political discourses share the same normative foundations as moral reasoning.

Discourse ethics derives the normative foundations of the public sphere from the generalizing features of communication itself. Since democratic regimes collapse every command into a duty, the effect of regulations, policies, political speeches, and statutes all draw on the justificatory status of moral universality. A discursively ethical utterance “meets, or could meet, the approval of all affected.” (Habermas 1990, 66) In the ideal argument that Habermas imagines, this approval cannot be meaningfully withheld for strategic reasons like self-interest, factional allegiance, or due to the lack of competence on the part of affected participants, which is why most citizens must be excluded from discussions that concern them despite the apparent inclusiveness of these norms. Habermas articulates the system that emerges from these restrictions as bipolar. On the one hand, society generates legitimacy through mass engagement in reason-giving; on the other hand, the state processes these reasons through deliberation among experts and puts its legitimacy to use in governance:

“In the political public sphere, then, two contrary processes encounter and cut across each other: the communicative generation of legitimate power, for which Arendt sketched a normative model, and the political-systemic acquisition of legitimacy, a process by which administrative power becomes reflexive.” (Habermas 1997, 55)

Notice that Habermas has converted the structural constraints of action into the normative model of legitimacy formation on the communicative model. Legitimacy is formed through mass political participation, as voting, constrained by norms; the norms, however, are formed through interaction with the administrative state. This subtle shift makes room for the larger model of reflexive rationality that seeks to balance the play of forces and values in the public sphere with a normative model of reason rather than action. On Habermas’s view, the public sphere comprises both the realm of political actions and the part of the market associated with the production of ideas and aesthetic sensibilities. Even if this administrative state cannot be ruled by the same structural norms rooted in its conditions of

possibility, it does respond to criticism and correction, and must draw on a pool of persuasive reasons valued in the marketplace of ideas.

Thus, in place of direct participation, Habermas suggests a form of civil society that allows all competent citizens to affect the political process by channeling its considerations:

“Communicative power is exercised in the manner of a siege. It influences the premises of judgment and decision making in the political system without intending to conquer the system itself. It thus aims to assert its imperatives in the only language the besieged fortress understands: it takes responsibility for the pool of reasons that administrative power can handle instrumentally but cannot ignore, given its juridical structure.” (Habermas 1997, 59)

In this military pronouncement, we can hear the echoes of antipolitics. Forgoing political power, the civil society lays siege to the fortress of power, marshalling its forces to conquer the ‘pool of reasons,’ as if the administrative state could truly be starved of rationality and forced to submit. It’s true that the administrative state requires words to legislate and regulate, but as with any crucial commodity, substitutions are possible in times of scarcity. Thus, as I argued in chapter three, when reason-giving threatens to stymie a course of action, the state can always substitute secrecy, deception, or nationalistic ideologies when normative reasons are lacking. Thinking cannot constrain Willing. Yet while Habermas recognizes that non-ideal deliberations will often lead to non-ideal results, he emphasizes the legitimacy to be gained from appropriate procedures, especially in the face of increasing population and European unification. (Habermas 2001) He is certainly correct that under those conditions, procedural legitimacy is preferable to illegitimacy; however, he rejects alternative institutions that might preserve both participation and justice.

In his preference for deliberative and normative work over political action, Habermas shares a bias with Martin Heidegger. Arendt’s early insistence on the importance of a “space of appearance” for political action, and her later concern for constitutions and constituting moments in the history of a nation-state, express a conceptual framework apparently derived from Heidegger, especially his lecture “The Origin of the Work of Art.”¹⁶ There he finds an originary relation between work and world, insofar as the product of artistic creation is a work of art wherein “earth” or “Being” elementally conceived, comes into a conflict with “world,” or the phenomenological logic of a culture’s lived experience and daily *habitus*. Earth and world are at work in every artwork, and the act of artistic production is always dependent on their mutual struggle. “World” is what Heidegger describes by the Greek temple’s capacity to “fit together and at the same time gather around itself the unity of those paths and relationships in which

birth and death, disaster and blessing, victory and disgrace, endurance and decline acquire the shape of destiny for human being.” (Heidegger 1975, 41) In its world-producing capacity, any work of art opens up and delimits the space of human life, the habits, values, and beliefs of what we would call a culture. At the same time, however, a work of art pits world against both the elemental substance of the work, the temple's constituent pieces of stone and delimitation of sky, for instance, as well as *physis*, the “emerging and rising in itself” of the elemental material, and the sheltering of that which arises: its becoming and remaining what it is.

This account of the elemental can help us to understand the relationship between world and action. We saw Arendt's account of the eruption of meaning from the values created in the work's world in the first chapter. However, it remains to be seen how a singularity can emerge from within the meanings and values that require commonality in order to be useful. In this section, I will argue that Arendt's account resembles Heidegger's, but that she replaces the elemental language with a profound humanism. Where the gathering of earth and world requires the appearance of both an elemental materiality and, to the careful observer, can also disclose the event of that appearance in *physis*, Arendt argues that the public realm, the product of work, discloses both an individual natal uniqueness and, for the careful observer, the grammar and syntax of political action *per se*.

For Heidegger, the world/earth distinction is antecedent to the distinction between form and matter. Objects produced for use—equipment—can be best understood in terms of taking raw materials and shaping them for a human purpose, but this way of talking disguises the more primordial strife between world and earth. In the work of art, materiality shows itself as its “earthy character.” (Heidegger 2008) The distinction between earth and material comes from the perspective of truth, wherein the fundamental clearing or necessary space-opening character of the work is contrasted with the perspective of metaphysics, which can only appreciate the work from the perspective of use and human intention. Instead, the work serves to mark and fix an intense resistance between earth's “self-secluding” and the clearing of a space of appearing, which Heidegger describes in the phenomenological language of concealing and revealing, *lethe* and *aletheia*. (Heidegger 2008)

With politics, we can already see that much of the physicality of the work is concealed: sounds bites and press leaks serve to hide the solidity of the chambers in which orators argue, the quavering voices of elder statesmen, and the fragility of the paper on which their bargains are signed; the practical results of policies are all concealed behind the drama of political interlocutors and the theater of scandal in order to give a more immersive and persuasive experience. If politics appears to us primarily on television and

in print, than the world of our political lives is opened up through the expectations we develop for these mediums: the pacing and structure of a news broadcast or feature article, the peculiar subjectivity engendered through the editorial or the rapid-fire debate. Heidegger's resolutely a-humanist approach focuses on the concrete products of that sphere rather than its constituents: the monuments erected rather than the peoples united or divided under regimes of consensus and domination.

When Heidegger talks about the materiality of other art forms, for instance, he speaks of the work "set(ting) itself back into the massiveness and heaviness of stone, into the firmness and pliancy of wood, into the brightening and darkening of color, into the clang of tone...." (Heidegger 2008, 171) In other words, the material of politics would be the light reflected from the campaign poster and the sounds projected by our television speakers, and their glow and sonority would be what the work "causes to come forth for the very first time and to come into the open region of the work's world." (Heidegger 2008, 171) Without the work, there would be no open space for the appearing of these materials, both because the work's world gives the materials a reason to be configured and gathered as they have been, and because the work supplies the delimitation, or even what Heidegger anxiously calls an enframing. It is there that the work provides a context without which light and sound would not appear at all, because they would not be presented or called to attention.

The Arendtian departure from this a-humanism is dependent on this gathering and enframing of appearances. Yet what appears for Arendt is not just a singular and novel action: it is *also* the materiality of the world. The town hall gathers a plurality together and focuses their attention on the speaker behind the podium. It frames questions from the audience in terms of height, distance, acoustic scope, an unearned singularity amongst the crowd. We cannot ignore the role that wood and stone plays in sheltering this discussion, not the rules of decorum and the standards of respect that make it possible to hear one voice in the cacophony. At the same time, we must be attentive to the human eventuation that mirrors *physis*, the natality that is prior to intentions and out of which an *arche* emerges. We can, like Heidegger, point to the ways that this natality, so essential to constitution of public spaces, gets covered over and forgotten. However, for Arendt it is not clear that we can simultaneously think this constitution and act with regard to it.

IV. Lex and Nomos: Arendt against Practical Reason

In this section, I will detail the reasons for Arendt's rejection of Kant's account of autonomy, especially in its formulation as co-legislation of the moral law in a kingdom of ends. Since Kant's Critical division of reason, understanding, and judgment appears to many commentators as a model for Arendt's typology

of the faculties, we must work out her reasons for separating her work from his. For instance, thinking strips away the accidental materiality of a thing in order to savor its invisible essence, guided by an internal relationship that eschews inconsistency as self-deception. Thinking is thus superficially similar to the activity of “critique” itself, deriving categories and concepts from a priori experience guided by logical necessity, which includes non-contradiction, and focusing on its own limits. If aesthetic judgment or taste is the faculty that strips the superfluous elements of an experience from its meaning and usefulness, then it follows that judging is tasked with addressing particulars as they appear to us. This model begins to break down in Arendt’s criticisms of the refusal to equate free willing with the activity of practical reason. Her rejection of Kantian autonomy as “irrelevant to our context,” is driven in part by a distinction she argues ought to be preserved between practical reason and freedom. To Arendt, freedom does have conditions of possibility, but in place of universalizability she develops an account of free coexistence that depends on a non-universal form of the practical syllogism.

Though Kant and Arendt share a conception of freedom as unconditioned action, Arendt insisted that Kant’s moral philosophy failed completely at the task it set out to achieve. Arendt rejected Kant’s account of autonomy for its basis in Kant’s “self-misunderstanding,” whereby he succumbs to “the highly equivocal meaning of the word ‘law’ in the Western tradition of thought.” (Arendt 1965, 69) Arendt suggested that ‘law’ has both a Greek and a Roman sense: it can be understood as *nomos* or as *lex*. The Greek legal tradition’s emphasis on customary codes of conduct underwrites a certain kind of cultural pluralism, while the Roman legal tradition is the root of the social contract tradition. On Arendt’s account, the Greeks thought of law as effortless coercion, a set of local practices and rites that preserve traditional authorities, indigenous to a particular city whose expansion was achieved through colonization and reconstitution, not conquest. Every Greek colony had to have its own lawgiver, who defined the *nomos* so as to preserve the fit between place and people, *physis* and *polis*. In contrast, the Roman habit of expansive warfare created an understanding of law that could incorporate the defeated city through a pact and promise of peace. Thus Roman laws were always foreign, always at odds with the place and enforced by superior military might. According to Arendt, Kant’s was simply the latest attempt to resolve the tensions within the Western conception of ‘law’ that still remains trapped between, on the one hand, habits of life that delimit and render meaningful our shared world, and, on the other hand, universalized rules backed by the threat (and often the recent history) of violence. Kantian freedom entails a moral law understood as a self-legislation, and as a consequence of this conceptual equivocation the legislation shares incompatible features. Autonomy attempts to combine

the universalizability of *lex* with the natural fit of *nomos*. On Arendt's view this combination fails because it tries to naturalize the universal: the Kantian subject is a founding member of the community of reason, a native of the cosmos, and a citizen in the kingdom of ends, all at the same time. Viewed from the standpoint of reason, the various unique demands of a locality have no more bearing on the just constitution than the unique desires of an individual have a bearing on her duty. Yet the world we share with others is not a prior universal, but must be universalized. There will always be a remainder of geographic or customary traditions when the conquering army sets the terms of the treaty, some prickly differences between Athens and Crete that will be effaced in the terms of the *lex* written for both.

Ultimately, consciousness of our own freedom comes from the feeling of moral obligation at odds with inclination. In the *Critique of Practical Reason*, Kant attempts to derive freedom from the moral law. By *accepting* that I might have done otherwise, I realize in myself the *capacity* to do otherwise. "The moral law, which itself does not require a justification, proves not merely the possibility of freedom, but that it really belongs to beings who recognize this law as binding on themselves." (Kant 2002, AK 47)

Consciousness of our freedom "thrusts itself upon us," as Kant puts it. (Kant 2002, AK 31) However, when pure reason accepts this freedom, it takes on the task of reflective equilibrium, to determine how an unconditioned will ought to act in a given situation. Exercised in this practical manner, reason can evaluate maxims for their universalizability, but it cannot evaluate actions for their maxims: for that, practical reason must compare the formal will that always wills universally with the elective will that chooses particular courses of action. In so doing, the unconditioned freedom of the will finds its only possible determination. The very unpredictability of happiness makes it an inappropriate ultimate end for a rational being. The universalizability of the maxim that proposes an act becomes the only possible guide for an action, while from this new perspective in the acceptance of freedom, all others appear as incontinent failures. For Kant, to act freely is to act for reasons, and reasons always have this universalizable character. "The maxim of self-love (prudence) merely *counsels*; the law of morality commands." (Kant 2002, AK 36)

Arendt's dispute with Kant regards the prevalence and scope of reasons for action. Practical reason requires reasons for action in the form of a maxim, because it is rooted in a kind of causality and has a law-like character. Causation itself introduces the condition of universality through the concept of necessity. Even a hypothetical imperative, aiming only to determine the means to achieve some end, must reason in a law-like fashion to connect means and ends in deliberation on instrumental matters. When a hypothetical imperative declares that an act is *necessary* for the achievement of an end, it

prescribes this means as an action to anyone seeking that end. As such, when we deliberate, we are choosing between rules for action rather than individual actions. In the case of the lying promise, for instance, reason suggests that false promises will likely lead to the loss of credibility. In reasoning, I conclude that I must *necessarily* tell the truth in order to preserve my capacity to make promises on which others rely. As a principle of action, a maxim proposes a particular and subjective practical rule for enactment as a practical law, such that “if I wish others to believe me, I must be honest with this murderer,” becomes, “one ought to tell the truth.”

Many criticisms of Kantian moral theory focus on the scope of the maxim of an action which is held to be either too demanding or too abstract to aid us in our moral lives. Kant largely dispatches the objections regarding over-demanding-ness himself in the essay “On the Common Saying: ‘This May Be True in Theory, but It Does Not Apply in Practice.’” In practice, we often opt for courses of action that are immoral because we cannot see or conceive of an alternative. Kant offers reason as a corrective to this myopia regarding alternatives, because theory demonstrates how to resist exigency. In theory, an action is immoral if it cannot be universalized, and inaction is always an option, even in exigency.

Thus, we can always say of an immoral action that “I could have done otherwise,” and recriminate ourselves retroactively for having opted incorrectly. The theoretical demands of moral duty may thus exceed our current conception of what is probable, but the possibility of revision in that ‘I could have done otherwise’ offers the promise of moral progress: “if we ask what duty requires, there is no confusion whatsoever about the answer.” (Kant 1991, 71) Of course, Kant goes on in that essay to defend a teleological conception of history as a corollary to his apology for moral theory: “Thus it is not inappropriate to say of man’s moral hopes and desires that, since he is powerless to fulfill them himself, he may look to *providence* to create the circumstances in which they may be fulfilled.” (Kant 1991, 89) Arendt, however, can accept largely the same standards of optionality in her evaluation of free actions because inaction, ‘inner emigration,’ will always be among the options rejected.

This leaves the charge of abstractness, in which the universal moral law is held to suppress the contextual features of a decision in favor of the general rule to the detriment of an act. On that view, a maxim does not supply sufficient guidance in decision-making because the same general rule is called upon to address radically divergent situations, resulting in paralysis. This problem can be seen in the relationship between perfect and imperfect duties. Perfect duties are always negative because a principle like honesty can never serve as sufficient reason to act in a particular manner at a particular time and place. Insofar as I speak, duty requires me to will that my words communicate their message

truthfully, but the moral law cannot specify which words I will choose at a particular moment, nor does it outlaw silence. Consider the famous example of the murderer at the door: Kant argues that I am duty bound to speak truthfully to a murderer, regardless of his intentions or the harm that may result. It is not that I owe the murderer the truth (as Benjamin Constant had it) but that I owe myself truthfulness. Precisely because the 'right to the truth' inheres in the speaker and not in the listener, I need not report my friend's location. I can refuse to respond directly by remaining silent, or use my time with the murderer to dissuade him. Indeed, it is not clear whether I may use the truth to deceive, for instance, by stating a true claim about my friend's recent whereabouts that will cause the murderer to look elsewhere: "I saw him outside an hour ago." The sheer variety of actions that the same maxim of honesty make available to me suggest that Kant's account of practical reason is not too abstract, but rather simply open-ended. His goal is to establish the dictates of practical reason, the difference between hypothetical imperatives, by which we calculate the possible consequences of our actions, and categorical imperatives, by which we evaluate the demands of morality on our act.

The transition from practical necessity to moral necessity, and thus from a subjective rule to a universal law, requires us to be able to conceive of our acts as the result of instrumental reasoning. While Kant would acknowledge that truth-telling may not preserve our credibility, nor false promises destroy it, the imperative nature of moral reasoning carries an implicit form: universalizability. This universalizability extends from the structure of the hypothetical imperative, "If I want X, I must do Y." However, when confronted with the unconditioned nature of the will, Kantian practical reason notes the emergence of an additional imperative. This imperative is implicit in freedom: if I wish to remain unconditioned in my will, I cannot allow my ends to be determined by factors external to reason itself. If we are free enough to deliberate about means, we must accept that this freedom, this autonomy, carries a certain obligation: it is unconditioned in its content, but determined in its form. By giving myself a practical rule for action, I acknowledge that that rule has the capacity to be an objective rule, a practical or moral law. Just by accepting that our reasons for acting are under our conscious control, we accept that we ought to adopt reasons for action that have certain characteristics, specifically that they be reasons we could wish others to adopt as well. Thus, while we might wish that the murderer at the door believe our false claims about the location of his quarry, we could not wish that all individuals use promises to manipulate rather than to communicate intentions without vitiating the grounds of promising.

As we have seen, for Kant, prospective moral reasoning requires that we frame our intentions in a general form. Arendt rejects this requirement, arguing that every practical rule is determined not prior to action, but in retrospect, because to do otherwise would be to foreclose the act's novelty:

To be sure, every deed has its motives as it has its goal and its principle: but the act itself, though it proclaims its goal and makes manifest its principle, does not reveal the innermost motivation of the agent. His motives remain dark, they do not shine but are hidden not only from others but, most of the time, from himself, from his self-inspection, as well. (Arendt 1990, 98)

Arendt adopts the term *archê* to mark the difference this on-looker status grants to an intention. Without being a consequentialist in the utilitarian sense, Arendt holds that our reasons for acting are not sufficiently within our capacity to judge for us to determine their meaning in isolation. While we deal with 'intentions' when we deliberate about actions as the potential initiator of a choice or decision, our fellow citizens are less interested in the practical rule under which we undertook an action than on its actual consequences. The 'twoness' that thinking injects into my life with myself does not encompass the plurality required for politics. This reveals something about Arendt's conception of freedom: I can surprise the plurality by initiating an act of my own, but I *can also surprise myself*. Arendt's conception of free willing concerns only those actions that, because they provoke unforeseeable reactions, cannot be reduced to the intentions and plans of the actor.

Freedom thus requires more than a retroactively recognized option or alternative. One of the "consequences" of my act is the self disclosed by the action. If Arendt is right, this disclosure interests my fellow members of the public sphere more than other kinds of consequences. This is Arendt's innovation: she places the singularity disclosed by freedom above the material consequences of its instantiation. Actions are taken in company, and the meaning of an act, its *archê* or guiding principle, is determined as much by that company as by the actor. Onlookers learn both about the actor who initiated the act and begin to formulate principles of action for their own future projects. The plural public sphere reacts in part by assigning an act to an actor, a process of ascription that creates defeasible assumptions about the actor's character and future conduct, but also generates a conception of active subjectivity. Just as we ascribe an act to an actor, however, the act also appropriates the actor. Arendt here depends on Nietzsche's formulation: "'The doer' is merely made up and added into the action — the act is everything." (Nietzsche 1989, II, 13) For Arendt, the act isn't 'everything,' but rather the beginning of a series of processes by which we 'make up and add' the subject to the act. By

fabricating a character or a moral identity for the deed, we also come to see ourselves as potential actors, for whom deeds and speech will disclose a subject, though we know not how.

Such principles are disclosed in the interaction of the actor and the plurality with which she acts, and onlookers cannot help but derive working theories about the likelihood that a particular act will provoke a conventional set of responses. However, these theories are inevitably stymied by the very freedom that makes them possible. If action is truly unconditioned and the resulting reactions of our fellow citizens are therefore unforeseeable, it will be impossible to choose principles of action that we could prescribe for others or that others could prescribe for themselves. Arendt thus downplays the role of internal deliberation in moral life by rejecting the efficacy of hypothetical imperatives for political life, while emphasizing the role that assignment of an action to an actor plays in determining our moral identity. In the face of freedom, I cannot know what I must do in order to achieve a given end or be known as a certain kind of person, and so actions worthy of the name cannot be governed by maxims. In this sense, the actor is heteronomous from the Kantian perspective, because her participation in moral legislation is not sufficient to make her the sole cause or source of her act.

Despite her rejection of the Kantian account of autonomy, Arendt's lectures evince an interest in how his account of judgment might be redirected from aesthetic experiences to the moral register. The fact that the second Critique was to have been titled *Critique of Moral Taste* suggests that "the phenomenon of the beautiful is... what is left of his early observations of these phenomena of judgment." (Arendt 1992, 68) But the innovation in the second critique is precisely that it *replaces* taste with *practical reason*. For Arendt, the lawlike qualities of morality depend entirely on the method by which reason converts maxims into actions for oneself, and actions into maxims in our judgment of the other. Moral taste is an idiosyncratic project, while practical moral reasoning asserts a universal claim on all particular actions. On the one hand, the act discloses a generally intelligible principle of action, which is equivalent in some ways to the categorical imperative's maxim. On the other hand, this maxim is not wholly under the actor's control. Though it discloses the actor's singular identity, the *archê* is not the same thing as an intention, and it takes on the general form of a maxim only after interpretation.

Arendt connects Kant's politics to his work in the *Critique of Judgment* on beauty and purposiveness, suggesting that there is a way for politics to be a spectator sport. In particular, judging as communal interpretation helps to resolve a problem that troubles many phenomenologists: how can we share the world at all? Thinking and willing are not sufficient for this cohabitation, and Arendt intended that her account of judging would articulate the capacity with which we close the gap between the subject's

solitude and the solidarity of a shared world. Practical reason and aesthetic judgment collide in the *sensus communis*, where Arendt “tried to show that our decisions about right and wrong will depend upon our choice of company, of those with whom we wish to spend our lives.” (Arendt 1965, 145-6)

Chapter 4

The Spectator Theory of Judgment

“By contrast, working-class people, who expect every image to fulfill a function, if only that of a sign, refer, often explicitly, to norms of morality or agreeableness in all their judgments.” (Bourdieu 1984, 41)

In this chapter, I will address the following questions: would Arendt’s theory of judging have been Kantian? What is the proper reading of Arendt’s lectures on Kant?

I. The Impartial Spectator

Though Arendt clearly borrowed certain concepts from her reading of Kant’s work on judgment, some of these concepts are radically at odds with Kant’s own project. In this chapter, I will describe Arendt’s general approach to Kant, focusing on the continuity between her early essays and seminars and the interpretation she offers in the 1970 lectures edited by Beiner, and developing the appeal of a Kantian interpretation of *The Life of the Mind*. Second, I will develop Arendt’s criticisms of Kant, focusing on her efforts to distinguish her account of freedom from the Kantian conception of autonomy. Third, I will introduce the terms that come up most frequently in the scholarship on Arendt and Kant: ‘enlarged mentality’ and the ‘sensus communis,’ and differentiate their purpose in Kant’s work from their purpose in Arendt’s. Along the way, I will mention one especially tempting theory of Arendt’s intentions of “Judging”: the desire to give an account of spectator judgments like those of a jury.

In the developing typology of the mental faculties it makes sense that judging would focus on appearances and surfaces, since thinking deals with the invisible underside of phenomena. The closest Arendt ever came to describing an eternal or “God’s Eye view” is in her early interpretation of Kafka’s story “He.” There the actor, He, finds a way to overleap the fighting line and gain a promotion to umpire of the conflict between past and future. The umpire benefits from “his experience in fighting,” which he applies to his judgments of the antagonists. Similarly, we could imagine an Arendtian account of judgment in which the judge makes use of her experience and distance in judging another person’s crimes or achievements.

During his Senate confirmation hearings, Chief Justice John Roberts described the role of a judge as umpire, “calling strikes and balls.” That perspective was echoed by Justice Sonia Sotomayor in her own confirmation hearings when she asserted that she and her fellow judges “do not apply feelings to facts. We apply laws to facts.” Judging, they suggested, can be perfected to the point when it no longer requires judiciousness, when a conclusion can be reached by appropriate calculation. As we saw in the chapter three, such a capacity could never suffice for an ethics in the prospective sense, but moreover, for Arendt, this activity of fitting rules to facts can be accomplished without any recourse to the faculty of judging. For Arendt, thinking alone takes appearances like the actions of the accused and strips away the extraneous details in the withdrawal of thought, where the thinker can evaluate its invisible underside and match it up with those in her memory. Judging, then, cannot simply be another name for that capacity. Yet many commentators champion it.

The most active proponent of this umpire/spectator theory of judgment is Richard Bernstein. His work on Arendt’s theory of judgment is largely dependent on Ronald Beiner’s version of the Kant lectures. Like Beiner, he focuses on the Kantian capacity of reflective judgment, the inductive capacity to derive universal claims from particular experiences. He goes so far as to suggest that judgment is “the mental activity of the spectator who seeks to understand the *meaning* of the spectacle of human affairs.” (Bernstein 1986, 221) This suggestion that judgment deals with the ‘meaning’ of an action contradicts the Kantian account of reflective judgment, which can develop subjective universal reflective judgments of the beautiful or the sublime, but not symbolic determinations of reference, definition, or significance. In Bernstein’s version of the Kantian critical system, judgment can serve as the mediator between meanings and phenomena because pure reason, unlike thinking, deals only with the a priori, and requires a supplemental capacity to derive a particular from the universal, or subsume an encountered particular under some universal principle.

Of course, it is also clearly contradicted by Arendt’s attempt to systematize the faculties: thinking alone accesses meanings by withdrawing from the phenomena and considering their invisible underside, just as thinking alone combats radical evil by demonstrating the contradiction between the evil act and the actor’s own self. Having rejected the bifurcated world of a priori and a posteriori in favor of thinking’s experiential derivation of the visible’s invisibles, Arendt does not need a separate faculty to translate from the particular to the general. Arendt’s use of judgment still makes use of the meanings supplied by thinking. At the same time, there must be a difference if we are to distinguish good judgment from the tyranny of experts and the professional-thinker’s distaste for the messiness of politics.

Unlike Beiner, however, Bernstein draws on a concept Arendt borrows from Kant, the 'enlarged mentality,' to describe judgment as a mental activity that implicates the judge in the public world where opinions and their holders clash. Arendt derived this term from letters written to Marcus Herz in 1771 and 1772, in which Kant explained that his goal in responding to criticism was to view his own conclusions "impartially from the standpoint of others," which enables reason to "enlarge its point of view from a microscope to a general outlook... it adopts in turn every conceivable standpoint."¹⁷ By imaginatively including these external standpoints, we can compare our own judgments with the judgments of others, using the mind's eye to put ourselves in the other's place. Arendt contrasts this impartiality with the umpire's perspective "altogether above the melee," which is a kind of distance that offers no guidance to judgment because the universal is not the view that excludes all the others, even our own, but rather includes them together to create an amalgamation that is greater than each. Like many phenomenologists who conflated scientific assertions of 'objectivity' with indefeasible generalizations, Arendt sought in this notion of impartiality an escape from irredeemable perspectivalism, wherein I am doomed to adopt my own perspective and the other's standpoint exists at an impossible distance from me. Impartiality is distinct from a God's eye view of an event, however, insofar as the individual can achieve impartiality by bracketing her particular interests and preferences, but not the interests and preferences that are built into the world through human work.

Imaginative inclusion of the other 'enlarges' our 'mentality' insofar as it creates a model plurality into which I can withdraw in contemplation. It supplies an interested and implicated alternative to the claim of objective distance and disinterest. In exercising imaginative inclusion, the enlarged mentality adopts an impartial refusal to take one's own part in contemplation. What makes this capacity extraordinary is that we do it through contemplation rather than through the political act of consulting others. Yet it is limited, practically, to a much smaller community than the human species, insofar as imaginative inclusions moments of actual consultation supply its conditions for validity.

This conception of impartiality as the accumulation and generalization of subjectivity has consequences for her conception of politics. Without the capacity for imaginative inclusion, plurality would be impossible. To judge, we need to test our own perspective against that of others. Though our imagination may not always be equal to the challenge, we can often access the views of another through a kind of moral triangulation, and indeed we must perform this mental activity if they are ever to succeed in conveying their actual views to us in speech. "[O]ne can communicate only if one is able to think from the other's person's standpoint; otherwise one will never meet him, never speak in such a

way that he understands.” (Arendt 1992, 74) We encounter the others with whom we share the world first in their surprising capacity to act, which provokes the imagination to seek an explanation: “What must have they been thinking?” we ask. When we discover that we share with these others the capacity to derive meanings from experiences, we work towards a common sense from out of our private sense of the thing or phenomenon. In our interactions with others, they correct our mistaken attempts at impartiality, offering substitute viewpoints for the ones we had imagined for them. This faculty of the imagination is thus both teachable and innate; it is perfectable through practice and admits of talent and deficit, genius and incompetence. By impartially imagining the world from the other’s point of view, we create a rebuttable presumption wherein communication is possible, which is only strengthened when the other contradicts me and I revise my account.

Focusing on the contestation of taste that characterizes Kant’s rejection of subjectivist conceptions of beauty, which he calls “the culmination of Arendt’s thinking about action and politics,” (Bernstein 1986, 230) Bernstein concludes that judgment is the mental faculty that allows us to engage in deliberation with our fellow citizens. In this, he suggests that judgment allows us to engage thoughtfully in politics without the risk that claims to truth or objectivity will tyrannize our fellows, citing Arendt’s own words in the first volume of the *Life of the Mind* when she distinguishes between the philosopher’s withdrawal from appearances and the judge’s withdrawal *from action* “to a privileged position in order to contemplate the whole.” (Arendt 1978, I, 94) He concludes that the enlarged mentality allows the judicious political theorist to debate within the plurality while ensconced in his ‘privileged position,’ without confronting the contradiction: that the privilege of impartiality is only available at the cost of action, and is lost once one re-enters the fray.

Arendt wrote in the first volume of *The Life of the Mind* that “judgment, finally, be it aesthetic or legal or moral, presupposes a definitely ‘unnatural’ and deliberate withdrawal from involvement and the partiality of immediate interests as they are given by my position in the world and the part I play in it.” (Arendt 1978, I, 76) Thus we can see that she preserved the withdrawal into impartiality as the primary activity of judging even in 1973. She uses Kant’s account of “enlarged mentality” to describe how this abstraction from my particular interests might be possible. But she was not merely reproducing the Kantian conception of aesthetic judgment as Beiner would have us believe. In a different set of lectures on Kant’s *Critique of Judgment* given concurrently with the 1970 Kant lectures gathered by Beiner, Arendt summarizes a technical difficulty she intended to lecture on: “The use of the word judgment... in the [Critique of Pure Reason]: to subsume the particular under a rule. Whereas in [the Critique of

Judgment]: to hit the particular without rules, 'on the contrary, our judgment is the proper test of the rules.'"¹⁸ To hit what we aim at without rules, judging must borrow the Will's incalculability. To test rules against its results, judging must represent the particular within the same withdrawal into invisibles where thinking works.

In this way, the judicious political theorist embraces both the active and passive accounts of judging. On Bernstein's account, this Kantian problem can be understood in Arendtian terms: judging requires deliberation, which can be both a political act when it comes as an unforeseeable and individuating performance, and a contemplative act, when it serves to test the validity of the faculty of judgment's imaginative inclusion. But this is not a tension that is unique to Arendt: Bernstein acknowledges that "there is a deep tension between acting and thinking, between the perspective of the actors who participate in the human spectacle and that of the spectators who seek to understand its *meaning*." (Bernstein 1986, 237) This is not, ultimately, a moment of self-deception on Arendt's part, but rather "one of the deepest problems of our time." (Bernstein 1986, 237) In the next two chapters, I will argue that Arendt never intended to gather the various functions together or to resolve the conflict between these faculties.

Bernstein, however, believed that judgment could resolve these difficulties. His efforts are instructive insofar as he moves from this general description to a particular judgment that undermines his claims. Taking advantage of his 'privileged position,' he accuses Arendt of confusion about the distinction between the social and the political, basing this conclusion on a comparison of her published opinions with a variety of interviews and unguarded attempts to work out the relationship between welfare state and political freedom: "Sometimes the informal remarks that an author makes about her work can be among the most revealing." (Bernstein 1986, 248) By showing a contradiction between Arendt's published claims and the implications of her "almost casual" statements, Bernstein plays the Socratic gadfly to Arendt's silent *corpus* and her unguarded sound bites.

Bernstein quotes Arendt from an interview in 1970, where she responds to a question about the 'council system' that it supplies equal access to public affairs, and that this equality of opportunity has a normative force: we *ought* to have equal access to the capacity to participate there. Bernstein picks up on this 'ought' and develops it: a council system that does not achieve this equality of opportunity, which exceeds simple legal equality, will be unsuccessful. Answering a question about whether public housing and urban development are public or social problems, Arendt responds:

“The social problem is certainly adequate housing. But the question of whether this adequate housing means integration or not is certainly a political question. With every one of these questions there is a double face. And one of these faces should not be subject to debate. There shouldn’t be any debate about the question that everybody should have decent housing.” (Hill 1979, 317)

Bernstein calls this response “evasive and feeble,” (Bernstein 1986, 251) since it leaves questions of adequacy and universality of housing to some pre-political decision, “she trivializes and clouds the entire issue,” because “presumably, on Arendt’s analysis we can and should turn to social experts and engineers to settle social issues (or the social ‘face’ of issues of education, health, economics, human welfare, etc.).” (Bernstein 1986, 254) Bernstein joins the chorus of egalitarian commentators disturbed by Arendt’s rejection of the political management of the economic system in order to reduce inequality, and deforms her own mixture of descriptive and prescriptive statements until they can be made to conflict. Certainly it is true that Arendt contradicts herself here, but not in the way that Bernstein imagines. Instead, this interpolation of Arendt’s position, with its appeal to experts to resolve social problems, forces Arendt’s offhand remark to endorse precisely the conclusions she worried would overcome the political sphere, because, as she put it in *On Revolution*: “every attempt to solve the social question with political means leads to terror [which] sends revolutions to their doom.” (Arendt 1990, 245) To leave these issues up to experts is only to import the unequal authority of the expert’s access to truth into the public sphere where such truth claims are transformed into rhetoric.

Ironically, Bernstein’s accusation of inconsistency *is* damning to Arendt the thinker, just as Arendt showed that truth claims could be. Bernstein finds that “imaginative inclusion” of Arendt’s position would put him at odds with himself, and moreover he finds that inconsistency within Arendt’s own public declarations regarding the role of social inequality in undermining political equality. In criticizing Arendt’s conception of the social as the space of discrimination, Bernstein demonstrates that there is a conflict between the basic liberal desire for ‘equality of opportunity’ and Arendt’s warnings about the easily-manipulated masses. He writes that “to participate in politics means that one has also attained a level of education and liberation from poverty where one can deviate, where one can engage in the activity of mutual persuasion that is the distinctive characteristic of politics.” (Bernstein 1986, 249) Thus, Bernstein holds that Arendt’s attempt to bracket the social question is doomed to failure: “her categorical distinction of the social and the political is untenable.” (Bernstein 1986, 246) Equal

opportunities require equal capacities, and equal capacities require political intervention into the social world.

In part, Bernstein's victory over an Arendt who can no longer respond to her critics is hollow, since, as we saw in the last chapter, the social/political distinction is not normative or prescriptive in the ordinary sense, but rather speaks to the prudential limitations of plurality. Arendt takes herself to be describing the conditioned character of human action by articulating her understanding of the 'elementary grammar' of sustainable political action, not of justice. Accusations of inconsistency are activities associated with thinking's withdrawal into self-relation; such accusations demand honesty so that we remain the kinds of beings who can live with ourselves. Yet consistency alone cannot have been Arendt's idea of good judgment, since we need also to live with others and to nurture disagreement in order to shelter the possibility of friendship.¹⁹

Unfortunately, Bernstein's simple thesis, that the necessity of social policy to achieve egalitarian ends will make it possible, ignores the real possibility that these ends have practical limits. Ultimately Bernstein is satisfied to sacrifice the public's recognition for singularity if it will alleviate some suffering, rejecting Arendt's historical evidence that such a sacrifice inevitably brings with it more suffering than it alleviates. Within the realm of thinking, Arendt points out the progressive paradox and Bernstein responds with an egalitarian paradox. Together, they constitute an antinomy of political reason. If that is the case, then political reason needs to call on other faculties to resolve its conflict.²⁰ If there is an impartial solution to this problem, neither Arendt nor Bernstein seems able to encompass it; assuming this is not a failure of imagination on either part, we must wonder whether judging would necessarily fall into such an antinomy or whether Arendt has another conception of judging that is not so quickly rendered useless.

II. **Arendt's Aesthetics and the *Sensus Communis***

What capacities are required of us if we are to share a world? Ultimately, Arendt's answer to this question will diverge from Kant's, but before we can pursue this departure, we must first determine what she wished to preserve in his work. Just because her pedagogical choices do not indicate a declaration of eternal Kantianism does not mean that her distinctive reading of the third *Critique* was completely unproductive for her. They are most illuminating when Arendt forces an un-Kantian interpretation onto Kant's texts, since it is then that we can begin to see her sacrificing accurate hermeneutics for productive thinking on the general question of judging. There are a number of such unlikely interpretations in her Kant lectures, and in this section I will address two of them: the notion of

an “impartial enlarged mentality” derived from Kant’s letters to Marcus Herz, and her famous appropriation of the *sensus communis*.

It should be obvious by now that Arendt’s moral theory would not resemble a Kantian ethics like that described in the *Metaphysics of Morals*. But given her insistence on the innovation in Kant’s political philosophy, it is still possible that she found a distinct moral theory in Kant’s aesthetics. Arendt’s early references to Kant’s theory of taste and judgment were in an explicitly aesthetic context. In her book *Between Past and Future*, she took up a series of social concept questions related to what she described as the “loss of tradition,” including “The Crisis in Culture” and “The Crisis in Education.” There, she makes reference to judgment that begins in strict fidelity to the goals of the *Critique of Judgment*, to explain how our aesthetic judgments can be simultaneously indisputable in their claim to general assent and so often at odds in our particular preferences and peccadilloes. But she then goes on to make the case for extending this aesthetic conception of judging to politics. It is this movement from aesthetic judging to political judging that most commentators get wrong.

a. Taste and Culture

Judging, Arendt writes, “is one, if not the most, important activity in which this sharing-the-world-with-others comes to pass.” (Arendt 1961, 221) The kind of judging she has in mind is distinct from the act of correctly filing a particular event or act under a general rule or principle, or deriving a general rule from a series of particular instances. Instead, of determinative or reflective judgments, Arendt posits a kind of collectivizing activity in judgment, since we create a hypothetical community of fellow-judgers whenever we judge an object beautiful or just: “it needs the presence of others ‘in whose place’ it must think.... As logic, to be sound, depends on the presence of the self, so judgment, to be valid, depends on the presence of others.” (Arendt 1961, 221) The capacity we gain through judging is then to include these hypothetical others within our community, who must be hypothetical because do not know whether the actual members of our community are judging subjects: “it [judging] is not valid for those who do not judge or for those who are not members of the public realm where the objects of judgment appear.” (Arendt 1961, 221)

On this early formulation, Arendt holds that the virtues of the Kantian theory of taste are purely in directing our attention to the world of durable products where potentially meaningful activities occur. “Taste judges the world in its appearance and in its worldliness; its interest in the world is purely ‘disinterested,’ and that means that neither the life interests of the individual nor the moral interests of

the self are involved here. For judgments of taste, the world is the primary thing, not man, neither man's life nor his self." (Arendt 1961, 222)

Judging requires the distance of non-consumption, an "attitude of disinterested joy [which] can be experienced only after the needs of the living organism have been provided for, so that, released from life's necessity, men may be free for the world." (Arendt 1961, 210) It is in this sense in which the aesthetic judgment is impartial or objective: it preserves the object in enjoying it rather than incorporating it.

Arendt departs from Kant, however, and turns to Cicero, when she argues that the faculty of judging itself does not coerce or oblige a particular judgment, however, not even in political circumstances where we would expect such obligatory agreement. "Cicero says: in what concerns my association with men and things, I refuse to be coerced even by truth, even by beauty." (Arendt 1961, 225) The non-coercive nature of judgments of the beautiful becomes, in Arendt's formulation, the absolute voluntariness of membership in any specific aesthetic community:

"We know very well how quickly people recognize each other, and how unequivocally they can feel that they belong to each other, when they discover a kinship in questions of what pleases and displeases. From the viewpoint of this common experience, it is as though taste decides not only how the world is to look, but also who belongs together in it." (Arendt 1961, 223)

By marking out this world's particular topography and objects and events within it deserving our praise is not, primarily, a private act akin to thinking or willing. It is a public or political act that brings me into communion with my fellow judges. What remains aloof from this publicity is my own unpredictable choice of communities, which cannot be global or universal. Because we are free to choose to enjoy what we enjoy in common with some over others, the interpretive community with whom we share like-minded judgments of justice and injustice, praise-worthy and blame-worthy, and ultimately right and wrong, must also be free and uncoerced in its membership. This is especially so because what is revealed in one's judgment is part of the incalculable, non-voluntary self that is disclosed in political actions: "By his manner of judging, the person discloses to an extent also himself, what kind of person he is, and this disclosure, which is involuntary, gains in validity to the degree that it has liberated itself from mere individual idiosyncracies." (Arendt 1961, 223) The aesthete who loves the Beatles more than Mozart, or comic books more than Goethe, involuntarily announces her political community in her preferences.

However, the “crisis” in culture is due precisely to the growth of a trend that Arendt diagnoses as related to totalitarianism: that these aesthetic communities are not, for the mass of men, uncoerced, because they do not inhabit a culture but rather a ‘mass society’ that incorporates all echelons of preferences and recommends the same likes and dislikes to all. “A good part of the despair of individuals under the conditions of mass society is due to the fact that these avenues of escape are not closed because society has incorporated all strata of the population.” (Arendt 1961, 200) The role of culture as an ‘avenue of escape’ was not in supplying some realm of disinterested beauty into which the cognoscenti could withdraw. Quite the opposite, the escape was into “unacceptable” or “vulgar” enjoyments, which were only available so long as “culture” was the exclusive domain of a particular class: “as long as society itself was restricted to certain classes of the population, the individual’s chances for survival against its pressures were rather good; they lay in the simultaneous presence within the population of other non-society strata into which the individual could escape....” (Arendt 1961, 200)

The implications of the “escape” route were more than just simply sub-cultural diversity. In fact, Arendt’s diagnosis of the dominant “culture” was that it was limiting in its own way, for those who were privileged enough to belong to it: “one reason why these individuals so frequently ended by joining revolutionary parties was that they discovered in those who were not admitted to society certain traits of humanity which had become extinct in society.” (Arendt 1961, 200) The contradiction here is that, in revolting against the exclusivity of high society, the outcasts succeeded at producing an inclusion that eliminated the very escape that produced the excluded pluralism in the first instance.

Arendt’s appreciation for that irony is tempered by her claim that mass culture jettisons the ‘disinterested,’ non-consumptive nature of taste for an obsession with “freshness and novelty” that characterizes entertainment rather than art. For Arendt, the problem with massified audiences is that they are not quite capable of treating the objects they consume as durable and meaningful artifacts of a world. Yet this is not elitism, which she attributes to ‘the educated philistine’ who imports the habits of entertainment into the realm of culture. The real dangers to the uncoerced aesthetic judgments of free citizens are “those who fill [their vacant time] with some haphazard educational gadgets in order to improve their social standing... the more sophisticated temptations and the more insidious noises of the cultural snobs in refined society.” (Arendt 1961, 207) By tying the cultivation of aesthetic judgments to social mobility, the ‘educated philistine’ mistakes the means for the end by putting the achievement of wealth before the achievement of what wealth supplies: leisure, non-domination, and individuation in the public sphere through the disclosure of the self.

b. The Sensus Communis

One element of Arendt's reading of Kant that is often used as a stand-in for her own theory of judging is the *sensus communis*. For Kant, this term names the specific membership in a community of aesthetic equals who engage with nature, history, and art by generalizing their disinterested pleasure at beautiful things, world-historical acts, and ground-breaking aesthetic ideas. For Arendt, the term contains an ambiguity between the imagination by which I combine my visual and tactile impressions, the community that actively engages both imaginatively and through deliberation with the viewpoints of other members, and the cultural community of those who share 'examples,' those who formulate their thoughts on war through the Iliad rather than the Upanishads, or those who remember Trotsky's role in the Russian revolution and those who have forgotten him.

In its sense as 'sense unification,' the *sensus communis* deals with an internal community all my sense perceptions share, the unity of apperception by which I associate my various sense impressions. I will address this sense of the term in more detail in the next chapter when I deal with Arendt's reading of Augustine on memory, that space of combination and extraction by which impressions are stripped of their materiality and made available for amalgamation. In its sense as 'shared cultural touchstones,' the *sensus communis* derives its power from a stock of common tropes or motifs that enable members to quickly come to terms with a new phenomenon.

Arendt ends the *Lectures on Kant's Political Philosophy* with some brief remarks on 'exemplary validity.' In order to think the particular, we must make reference to a third thing, a *tertium comparationis*, that allows us to find connections between two particular things without translating either into a universal. Arendt repeatedly referred to an idiosyncratic translation from Kant, "examples are the go-carts of judgment," suggesting that it is our capacity to agree on an example and its relation to a case that gives us the power to judge it. If we agree that a soldier is 'like Achilles' and we agree that Achilles is courageous, then we are agreed: the soldier is courageous. However, if we attribute only brashness or arrogance to Achilles, we will draw different conclusions from a comparison between Achilles and the soldier. This conundrum of comparison is resolvable by acknowledging that examples gain cachet within an interpretive community, a group that identifies itself with Achilles, or instead with Aeneas.

This interpretive community is a *sensus communis*, which comes to mean more than simply an aesthetic community that shares disinterested enjoyment at the same phenomena, and its agreement on examples is driven by both the sociable impulses of its members and their demand for purpose beyond self-perpetuation. At the same time, a *sensus communis* sustains the plurality necessary for its members

to have the capacity to act singularly, provoking new judgments and throwing the lessons of literature and history into question with the novel unpredictability of a surprising turn. Like the thinking, which must continually think anew the conclusions it wrought the day before, and the world we share, which requires the miracle of natality for reinvigoration, the *sensus communis* requires the challenge of the new to keep its traditions alive. As such, the *sensus communis* keeps its preferred examples alive through invocation and disagreement as much as it does through rote transmission. Far from perfected understanding of courage, the *sensus communis* maintains itself through unproductive and non-progressive strife over the validity of examples.

If Arendt's account of judgment is to be found within the lectures on Kant, it can be found here, in this work of communal interpretation. The aesthetic judge is part audience, part umpire: the activity of judging is the activity of the on-looker, drawing general conclusions from a privileged but disinterested position, a place high above the action where one's conclusions, though coming too late to 'make it otherwise,' can still serve as guidance for the future, however provisional and subject to unexpected amendment. Proponents of this 'spectator theory' of judgment have tended to base their arguments on the disinterested, even self-destructive distance that Arendt took with regard to Eichmann, which I detailed in the first chapter. In what follows, I will suggest that there are resources within the Kant lectures themselves to defeat this account of judgment as the passive work of armchair philosophers.

Arendt begins *The Life of the Mind* with an epigraph from her friend W. H. Auden: "Does God ever judge us by appearances? I suspect that he does." (Auden, *Poems* 856) In this, she elliptically chastises intentionalist accounts of moral judgment like Kant's. What we mortals judge in the other is not her intent, nor the maxim of her action, but the act that erupts in the space of appearances and the doer who is disclosed in the deed. The intervention of celestial surveillance raises the possibility that intentions might come to stand in for acts. Why would an omniscient deity reject the apparent when the invisible was also apparent? Why should deities ignore consequences? This rejection of divine insight into our heart of hearts offers a certain jarring suggestion that even God is not an intentionalist, that divine judgment is not concerned with the heart's motives any more than human judgment. On this view, the same conditions of action's unforeseeability and irreducibility to calculation and intention apply to divine judgment as they do to human judgment. As I will address in the next chapter, this rejection of the exclusively divine access to the private world of faith and motivation ultimately underwrites Arendt's rejection of any systematic moral theory. In the place of such a individualistic

moral theory, Arendt constantly redirects our attention to the public world in which a moral theory must always be read out of a political theory.

III. Sociability and Purposiveness

In his *Introduction to Metaphysics*, Heidegger claimed that the fundamental question of metaphysics was “Why is there something rather than nothing?” In this section, I will show how Arendt twisted this metaphysical question to political ends, transforming it into the question: “Why is there somebody rather than nobody?”²¹ Though Arendt taught Kant from her first lectures at Berkeley in 1955 to some of her last seminars, there is a great deal of dispute on what she sought in his texts. As with the courses of any teacher, her syllabi and courses were affected by the demands of students and the university. However, by the end of her life there was a groundswell of interest in what Arendt’s ethics would have looked like. Thus, some student demand for Arendt to teach Kant must have been driven by a desire to derive Arendt’s ethics from her commentary on another great ethicist, just as it is today. Her resistance to that goal is quite evident in her choice of texts (*The Critique of Judgment*) and her repeated insistence that Kant’s conception of practical reason is irrelevant in the modern context.

When Arendt read Kant, she continually returned to a conflation of aesthetics and politics that is at odds with the traditional division within value theory between practical reason and aesthetic judgment. When we remember that for Arendt, politics occurs in the space of appearances, however, this conflation makes more sense: the standards of taste are more closely allied with the frequently messy business of political life than the strict demands of moral duty. Yet there are also good reasons to believe that this concern with the appearances of political acts concerned Kant as well, and that Arendt’s conflation of the political and the aesthetic is not simply and idiosyncratic reading of his work, but rather a justified approach to the scholarship. The best reasons for the conflation are rooted in an enigmatic chapter at the heart of the third critique: “On Beauty as the Symbol of the Morally Good.” By the end of the Dialectic of Taste, Kant has found a ‘transcendental substrate’ that connects aesthetic judgments to practical reason.

Arendt gave three sets of lectures devoted to Kant. The first course, given at Berkley, located Kant within the history of political theory and has been almost universally ignored along with Arendt’s reflections on Montesquieu, Tocqueville and Machiavelli.²² Of the other two lectures, one focused on Kant’s *Critique of Judgment*, and another on Kant’s political philosophy more generally. These lectures are transcripts of courses given at the University of Chicago, and were intended as courses of study for advanced students, not scholarly contributions in their own right. In both of the later sets of lectures,

Arendt repeated the claim that the third critique was to have been a *Critique of Taste*, and that the second critique was originally to be titled *The Critique of Moral Taste*. In addition, her syllabuses show that she assigned his early essay, "Observation on the Feeling of the Beautiful and Sublime," furthering the sense that her interest with Kant was principally directed at the intersection of aesthetics, morality, and politics.

In the 1970 Kant lectures edited by Beiner, Arendt takes her pedagogical impetus from two themes or questions which troubled Kant before he began his research on the *Critique of Pure Reason*, and which she believes he returned to in the process of completing the critical project. First, she believed that all his work that was not an attempt to work out the limits of reason was directed to the question of man's 'sociability,' the fact of interdependence. Arendt notes that sociability extends beyond our mutual needs and cares to our capacity to reason, and she frequently quoted Kant's aphorism that "Company is indispensable for the *thinker*." (Arendt 1992, 10, italics are Arendt's) In all those spaces where philosophers would see singularity, Arendt finds a lurking duality, a two-in-one that belies our various claims to individuality. Kant, however, sees company in solitude insofar as the plurality is vital even for reason in its pure, speculative role. Arendt is here insisting that Kant's project depends on the elimination of solitude, so that even in our withdrawal from the plurality we still find ourselves in the company of other thinkers, without whom we could not assume multiple viewpoints and seek intersubjective agreement. In contrast, Arendt deploys the concepts of division and *relata* in discussing the faculties of the mind except when it comes to action itself, which becomes the atomic ground of indivisibility upon which all her other concepts are assembled.²³

The second theme was explicitly addressed in the *Critique of Judgment*: "Why is it necessary that men should exist at all?" This was a question she had asked as early as 1955 when she glossed the metaphysical question of "something rather than nothing" with a contemporary reformulation: "Why is there somebody at all, and not rather nobody?"²⁴ Here she raises the question of purposiveness as a human rather than natural phenomenon, and explicitly ties the search for human purposiveness to the anthropological rather than biological sciences, because, she argues, "this purpose, like every purpose, must be more than nature, life, or the universe, which immediately, by this question, are degraded into means for something higher than themselves." (Arendt 1992, 12) The mere question, 'what are people for?' raises the threat that we might misinterpret that for which someone exists at all. Human beings appear to be valuable yet useless. In this, people are like beautiful things, in which a sense of value begins where use stops, and even a beautifully made tool or instrument appears gratuitously or

unnecessarily overwrought yet is valued for that excessiveness. Arendt ended her 1970 lectures on Kant with the claim that we can find one answer to this quandary in Kant's conception of the aesthetic idea. Insofar as beautiful things are 'for' men's enjoyment, we have evidence that we belong in the world through an original compact with nature and each other. Though nature never actually made this promise, it nonetheless fulfills it in supplying us with beauty, and we must fulfill our side of the compact in our relations with other men, to whom nature also grants the gift of appreciation for the beautiful.

We find evidence of an impulse towards sociability in the experience of disinterested appreciation of the beautiful, which lays claim to objectivity but finds itself stymied by the absence of a conceptual scheme under which agreement can be reached. Beautiful objects express aesthetic ideas which we experience as general but which our experience shows to be contested. That our capacity for aesthetic enjoyment has a reach that exceeds its grasp makes it a prime target for Kantian critique, since it lends itself to an antinomy wherein both subjective ("Everyone has his own taste") and objective ("There is no disputing about taste") formulations of the faculty are falsifiable. Since this antinomy depends on two different meanings for the aesthetic idea, when we come to recognize that ambiguity we can resolve the antinomy in favor of a third term. The aesthetic idea is neither determinate nor determinable, nonetheless, we can "point to" an "unexpoundable" and "indemonstrable" aesthetic idea in order to ground our subjective judgments. (Kant 1987, 214-5) Yet since the aesthetic idea cannot rise to the level of cognizable concept, the Kantian subject requires a unique faculty in order to address it. This faculty invokes another from whom it seeks agreement in the very experience of the beautiful: "if someone likes something... he cannot help judging that it must contain a basis for being liked [that holds] for everyone." (Kant 1987, 54) Though at first aesthetic taste imputes the basis for liking to the object, it necessarily invokes others in this basis by extending "[the predicate of beauty] over the entire sphere of *judging persons*." (Kant 1987, 59) This sphere might be empty, as it would be for the first or last man on Earth, but it nonetheless invokes others in their *ex hypothesi* agreement.

Precisely in their character as pleasing *for us*, the aesthetic ideas exhibited by beautiful objects invoke the form of purposiveness. Beauty serves no particular purpose: it does not help accomplish any larger goal, and yet the natural world is full of beautiful objects and many human beings have the capacity to innovatively replicate this beauty in their works of art. Beauty strikes us as for-the-sake-of-something, yet at the same time useless and ornamental, rather than an instrument in a chain of causation. Kant thus suggests that our "judgment of taste is based on nothing but the form of purposiveness." (Kant 1987, 66) Formal purposiveness offers a potential end or *telos* to which causes are oriented. Insofar as

our experience of the beautiful recommends this end both for ourselves and others, it becomes the basis for an aesthetic community, who aim to achieve the instantiation of the aesthetic idea, while at the same time we belong to an ethical community that aims to instantiate the maximization of freedom through universal legislation of the moral law. "Only in man and even in him only as a moral subject, do we find unconditioned legislation regarding purposes." (Kant 1987, 323) Kant resolves this dual membership through reference to a third term, nature, which we must judge as producing in mankind as a species the capacity for freedom.

The *Critique of Judgment* supplies an account of the beautiful and of our tendency to see nature as a unity, and thus to view natural history as a progression. We can only understand the connection through the questions that animate it: how can we know that a particular artwork or natural object is beautiful without a principle of beauty? How can we know that a particular organ serves a purpose within the organism it inhabits without a conception of the organic whole? Finally, can we understand human actions as purposive within the horizon of history, or is a man's morality or a society's justice merely ephemeral? Nothing mediates between judgments of beauty and judgments of purpose except the natural world, which supplies exemplars for the artist, a challenge to the sciences, and always lurks at the periphery of history in its guise as natality. Is our tendency to see the natural world in terms of systems and progressions any more of an illusion than our disinterested enjoyment in its forms?

Here, Arendt concludes that in Kant's conception of history, reason oversteps its bounds by prescribing an end for the freedom it can never cognize without suppressing. Arendt offers instead an alternative, aesthetic experience that allows me to posit an other with whom I would agree. Her rejection of the narrative structure of providence and the divine author forced her into an impasse: to answer the question, "Why is there somebody rather than nobody?" without making reference to a 'somebody' in the form of an anthropomorphic Nature, History, or Being. In seeking a connection between sociability and purposiveness, Arendt has definitively rejected Kant. In the next chapter, we will see why she was unwilling to render the socializing features of aesthetic experiences to a community of autonomous moral agents.

IV. Kant as Spectator of the French Revolution

In this section, I will discuss a classic problem in Kant scholarship: his relationship to the French Revolution. Kant had a conflicted relationship to revolt and insurrection: he criticized most defenses of revolt for being at odds with the demands of publicity and universality in practical reason, yet he also made a very public declaration of support for the efforts of the revolutionaries in France. Arendt's

attempt to resolve this conflict suggests that she would not have found much value in the spectator's judgment, but in her attempts to interpret Kant, she offers an account of what a more general theory of "political taste" might accomplish: specifically, an interested, prospective, and engaged activity that nonetheless attends to particulars and makes use of withdrawal that connects her account of all the contemplative faculties.

Because her first published ruminations on Kant refuted Eichmann's claims about the morality of a duty to the sovereign and to the law, commentators like Richard Bernstein have associated her Kant lectures with the question, "How do we confront radical evil when it takes over the state?" As Bernstein puts it: "The problem that dominated Arendt's reflections was the inadequacy of the traditional disciplines of morals and ethics to shed light on... some individuals (albeit all too few) from all walks of life who were able to resist evil and act in a decent manner." (Bernstein 2002, 222) Eichmann argued on the basis of poor memory for an interpretation of Kant in which a dutiful citizen must ignore his inclinations in the name of duty even when his legal duty is contrary to the moral law. He failed Bernstein's test for good judgment, but Arendt was more interested in his poor thinking.

Arendt dwelt on the question long enough to show that Kant's account of obedience to the law could never encompass complicity in genocide. At the same time that she defended Kant from Eichmann's misreading, she also criticized his moral theory for misunderstanding the freedom upon which it was allegedly grounded. Kant aimed to render a metaphysically palatable account of the will as unconditioned from the perspective of moral life, and Arendt had to show that even the most sophisticated attempts to subsume freedom to thinking would fail. Though it is a key question throughout her work, however, the question of revolution and civil disobedience plays only a minor role in her courses on Kant.

The French Revolution was already being widely denounced as terrorism in 1798, when Immanuel Kant published *The Contest of the Faculties*. By this time, Robespierre and Saint-Just had gone to the guillotine, the Thermidorean reaction and the White Terror had violently suppressed the Jacobins, and France under the *Directoire Exécutif* had waged several wars of conquest with the soon-to-be Consul for Life Napoléon Bonaparte at its head. Yet that year, Kant wrote:

"The conflict we have seen taking place in our times in a nation of gifted people may succeed, or it may fail. It may be so filled with misery and atrocities that no right-thinking man would ever decide to make the same experiment again at such a price, even if he could hope to carry it out successfully at the second attempt. But I maintain that this revolution has aroused in the hearts

and desires of all spectators who are not themselves caught up in it a sympathy which borders almost on enthusiasm, although the very utterance of this sympathy was fraught with danger. It cannot therefore have been caused by anything other than a moral disposition in the human race.” (Kant 1991, 182)

Here Kant tells us that the French Revolution’s success or failure pales in comparison to its capacity to excite enthusiasm in its spectators, and that, no matter what the result, it was humanity’s moral disposition, and not its base and pathological nature, which spurred both revolutionaries and sympathizers. Kant’s response to the French Revolution suggests that nature might require of human beings acts that are contrary to the moral law in pursuit of ends that are ultimately moral. The revolutionaries’ incapacity to obediently bear injustice may reflect a natural self-regard rather than a moral duty, but this incapacity puts tyrants on notice that radical injustices may be imprudent. Thus, the sympathy of the spectator with the actor, like Kant’s sympathy with the revolutionaries, derives not from our judgment of the intentions of the revolutionaries, but from its inspirational quality. The threat of revolution holds tyrants at bay and gives the oppressed hope, and thus it can be ‘caused’ by the moral disposition even if it fails the rigorous test of universalizability that Kant applies to moral duties. At the time, there was every reason to believe that the French Revolution was ‘filled with misery and atrocities,’ that a people that makes war on its tyrants will not suddenly lapse into peaceful self-governance, and that unchecked ‘sympathy’ and unthinking ‘enthusiasm’ could not themselves found a stable, free republic within which humanity’s moral disposition could be cultivated.

Kant’s comments in *The Contest of the Faculties* serve as an entrée into the essential conflict in his account of ethical and political life. On the one hand, Kant expresses “universal yet disinterested sympathy for one set of protagonists against their adversaries” in what had already been widely recognized as a brutal revolution. On the other hand, he had explained the incoherence of insurrection as early as the *Metaphysics of Morals*, where practical reason notes a seemingly-absolute duty to obedience to the laws. Scholars attempting to resolve this apparent conflict have generally proceeded by qualifying the duty to obey so that it does not apply to tyrants. To this, Arendt adds two other possible resolutions. Kant’s statements might be squared with his positions by distinguishing practical reason from the judgments of a historical spectator, the actor from the onlooker. Perhaps for Kant, as for Arendt, successful revolutions are self-justifying, insofar as they alter the structure of public law to incorporate the insurrection. This *post hoc* justification for an *a priori* moral wrong is utterly at odds with

Kant's account of practical reason, yet Arendt embraced it, suggesting that retroactivity does play a crucial role, at least in the judgment of a revolutionary act.

Kant himself dealt with the concern that the duty of obedience owed the sovereign is not truly absolute, as Arendt makes clear in her criticism of Eichmann's bastardized version of the categorical imperative: "...that there is a categorical imperative, *Obey the authority who has power over you* (in whatever does not conflict with inner morality)—this is the offensive proposition called in question." (Kant 1996, 136) In the caveat excepting conflicts with internal morality, Kant offers citizens a limited form of disobedience. Practical reason will never allow me to make myself a mere instrument of the state's will. However, in Kant this qualification extends only as far passive refusal, alongside a willingness to suffer the consequences of one's inaction. Some critics have located the difference between ethical obligations and political options in the constraints of practical reason itself, as when Thomas E. Hill, Jr. wrote that "Kant can consistently maintain that at times, unfortunately, it is not morally permissible to do what would be necessary to achieve the results that are morally most desirable." (Hill 2002, 285) This assumes that practical reason supplies courses of action at odds with a moral law that 'is true in theory but not in practice.' By separating the ends of an act ("the right of every people to give itself a civil Constitution of the kind that it sees fit") from the means (regicide, "misery and atrocities," etc.,) Hill suggests that Kant can justify his enthusiasm for the revolution while decrying the revolutionaries.

However, Kant wrote in the second appendix of *Perpetual Peace* that "It is in the highest degree wrong if the subjects pursue their rights [through rebellion]..." (Kant 1991, 126) Active resistance remains impermissible because it is not universalizable, and no civil constitution could truly legislate a right to revolt: on Kant's account, the head of state cannot, by definition, be subject to the will of the people. Such subjection would undermine the very principle of rulership: "the people would have to claim rightful authority over its ruler... but if this were so, the ruler would not be the head of state." (Kant 1991, 126) If "what can give laws to another must needs be superior to him," as even Locke says, then the right to depose the lawgiver is only available to the true heads of state, and the question is then who could rightfully depose those in whom the 'right to depose' is preserved. Kant echoes this sentiment in the *Metaphysics of Morals*: "a person who is supposed to hold the power of the state in check must have more power than... the one who is held in check... But if this were so, the latter rather than the former would be the supreme executive." (Kant 1991, 144) Because Kant associates executive power with the right to coerce, he cannot admit a principled right of revolt that is held by the people.

Unlike Locke, Kant refuses to consider the possibility that the state's power springs from the consent of the governed. Still, there are some indications that a despot could be tyrannical enough to justify revolution. All people are duty-bound to form or join a state rather than subsist in the state of nature, because free coexistence requires an external coercive authority to preserve the equitable distribution of freedom against the hindrances that some free actions might present to the free actions of others. Ideally, coercive authority merely enforces a rule of law in which all people "give up their external freedom in order to receive it back at once as members of a commonwealth." (Kant 1991, 140) In that situation, coercive actions are only taken to assign rights that would otherwise remain tacit, to maximize freedom by rendering civil and property rights explicit. Coercion aims to "hinder the hindrance of freedom." (Kant 1996, 25) It is only truly just insofar as it achieves that goal, which no state ever fully succeeds in doing. The state that comes closest is a republic or a commonwealth, with a division of power between legislator, judge, and executive.

We have a duty to "quit" the state of nature, yet there is no guarantee that the state we join will indeed be a commonwealth, with a proper division of powers that prevents injustice in the exercise of that coercion. Kant grants that we might well discover that we have been born into a despotic regime, where command and legislation have been combined in a single person or department of the state. Moreover, the political membership obligations of stateless persons cannot always be satisfactorily obeyed. The duty to join a state and submit to its ruler is a conditional duty, in the service of absolute duties rather than a direct emanation of the categorical imperative. If a state does not guarantee property, if it constrains the use of public reason, or if it cannot resolve rights-claims in a minimally reasonable way, then our absolute duty to use and develop our capacities to cohabit in the world cannot be satisfied by membership in that state. Yet even in this unfortunate circumstance, "there can... be no rightful resistance on the part of the people to the legislative head of state. For a state of right becomes possible only through submission to his universal legislative will." (Kant 1991, 144) Kant is not simply making a formal point, as when Locke suggests that the right to revolution only arises when the ruler has dissolved the social contract by making war on his subjects, thus restoring the state of nature. Rather, the need for a state to preserve property relations, resolve disputes over rights-claims, and supply an intersubjective outlet for the exercise of reason is absolute.

As Kenneth Westphal has pointed out, this is a surprisingly conservative move for Kant, given that both his own work and his intellectual milieu contained resources to resolve the apparent contradiction through the concept of divided sovereignty. He suggests that this incapacity can be attributed either to

fear of censorship or to an insufficiently worked out constitutional theory, and indeed the fear of censorship may have prevented Kant from subjecting his ideas to the publicity required to truly test and frame them. (Westphal 1992) The mind's faculties are divided between pure and practical reason, with judgment serving as a mediator; Kant recognized a similar separation between various ruling persons, but "muddles together the governmental powers" as an "inevitable result of [his] attempt to propound the 'metaphysical elements' of a republican representative government without discussing even the barest institutional structures...." (Westphal 1992, 396-7) Yet this 'muddle' is really the effect of his Critical project, from the perspective of which all the mind's faculties are unified, and practical reason is properly understood as *pure* practical reason.

Arendt's exploration of the apparent scandal of a strict deontologist praising insurrection from his armchair takes it as evidence of her basic claim that the strife generated by the conflict between thinking and willing is one that can never be satisfactorily resolved in favor of pure or even 'pure practical' reason. Reason alone cannot mold the world we inhabit into the just society Kant prescribes, and freedom is a fact we can never fully cognize. Kant has a ready response which Arendt rejects along with her rejection of the two-world theory: that the self-regard given by nature can be understood morally from the point of view of *noumena* or intelligibility, just as Kant understands the causality of the will in terms of freedom without disrupting the laws of causality that rule in the world of nature where that freedom is exercised. The Critical project was to reunite these viewpoints, while Arendt devotes herself to preserving a disjunct: freedom *or* causality, morality *or* nature, action *or* passivity, appearance *or* being. Despite Kant's protestations, Arendt constantly reiterates this un-Kantian motif. According to her, there is insufficient evidence for the claim that the theory and the practice of justice can be brought into harmony, or that a nation of devils would choose justice when mere mortals cannot seem to achieve it.

Arendt's first attempt to resolve this apparent conflict is to distinguish the effect of the revolution for onlookers from the moral status of revolution itself. Arendt's rejection of practical reason means she could not possibly grant that obedience to a despotic regime is a moral duty. As we have seen, Arendt held that duties are legal metaphors, imported into the moral landscape where they serve only to give the illusion of limits on the Will. She interprets Kant's enthusiasm as a suggestion that Kant was twisting free from the limits of the second Critique, especially from what she saw as his doomed attempt to subsume political action and ethical life under the rubric of self-legislation. Arendt's criticism of Kant on this point is that he misunderstands the distinction between revolution and coup d'état, which she

associates with the publicity of a revolutionary organization as opposed to the secrecy of a coup. Others have echoed this criticism, notably Westphal.²⁵ The corollary of Kant's failure to distinguish between revolution and coup d'état is that Kant cannot conceive of a political actor who is not a member or representative of the state and its institutions: "Kant conceives of action only as acts of the powers-that-be... that is, governmental acts; any actual action from the side of the subjects could consist only in conspiratorial activity, the acts and plots of secret societies." (Arendt 1992, 60) For Kant, the 'people,' the non-sovereign public, is only a valid source of opinions, never of novel and unforeseeable action. Yet because the sovereign has a duty to rule in consonance with practical reason, the participation of citizens in the "reading and writing public" suffices for autonomy. Adding my critical or approving voice to a conversation about policy and justice makes me a participant in communal autonomy, a kingdom of ends where the inequality between sovereign and subject is merely functional, not practical or a matter of freedom and domination. Kant thus seems to have preferred 'soft power' to militancy, just as he preferred to reference shame and duty when arguments from prudence and self-interest would often do. Still, even Kant admits that "when once the issue become one of might, not right, the people may also seek their own power and thus render all lawful constitutions insecure." (Kant 1991, 86) This transition from right to force would certainly have been in effect during a state-sanctioned or effectuated genocide, since he lists the simple "enforcement of religion, compulsion to unnatural sins, assassination, etc., etc."²⁶

Not only is the duty to submit to tyranny not as absolute as it first appears, it has the temporality of the 'future perfect,' conditioned by the way the act 'will have been' interpreted. Even Kant's original statement on the subject must be truncated to make it appear absolute, for he goes on to add: "they [the people] *cannot in the least complain* of injustice if they are defeated in the ensuing conflict and subsequently have to endure the most severe penalties," (Kant 1991, 126, emphasis mine) whereby the 'highest degree of wrong' still leaves open the possibility of a laudable success: "if the people were to rebel successfully, the head of state would revert to the position of subject." (Kant 1991, 127) For Kant, revolutionary acts countenance a kind of moral luck: success is rewarded and failure penalized because the new regime pardons its founding fathers while the old regime would punish its insurrectionists. In either case practical reason only requires obedience to the present sovereign. Victory opens up the possibility of legitimacy, of a wrongful act that can nonetheless redeem itself. The failure of the French Revolution, then, is not written in its reason-contradicting origins, but rather lies in its incapacity to institutionalize and domesticate the wanton lawlessness of the revolutionary spirit. Here again, we see a division between the spectator, who can admit universal enthusiasm for wrongdoing insofar as the

wrong done promises increased freedom, and the actor, who wants either guidance in action from practical reason or space to move from the world she inhabits.

Arendt ended her lectures on Kant with the conclusion that the Kantian world-spectator is an impossibility, a contradiction: "There is no point at which we might stand still and look back with the backward glance of the historian." (Arendt 1992) The onlooker has nowhere to stand, which was the point of her earliest published reflections on the contemplative faculties: the desire to leap out of the conflict between past and future is another form of the Kantian scandal of reason, a demand that reason places on itself which it simultaneously knows to be impossible. By denying the ambitions of this teleological view from nowhere, Arendt subjects her own thinking on judgment to a further restriction, a limit for the *vita contemplativa* as she sought to complete her account of it in *The Life of the Mind*. Since Arendt seems to be auditioning a version of judging here, there is the temptation to find the solution in Kant. If it fails to be an accurate reading of Kant's system, it is only because she has the benefit of hindsight, recognizing in the teleological reason the seeds of the "metaphysical fallacy" of German Idealism, instantiated in Hegel's philosophy of history and history of philosophy. Without the security of Kantian judgment's equation of Nature, Providence, and Progress, her account of judging takes on new challenges. In contrast with this erroneous spectator view of judging, Arendt would have needed to supply a theory of judging that produces and maintains a political world where our judgments can be common sense. This is the judging that preserves the like-mindedness (*homonoia*) necessary for deliberation and action.

Chapter 5

Saint Augustine and Love of the World

In this chapter, I will address the following questions: What did Arendt want with Augustine? What would an Augustinian theory of judging look like in Arendt's hands?

I. Augustine's Theory of Judging

The claim that Arendt's account of judging would be rooted in her reading of Augustine can be defended on three separate grounds. One possibility is that Arendt preferred the Augustinian taxonomy of the mental faculties to the picture of Reason developed in the *Critiques*. Another possibility is that Arendt preferred Augustine's account of freedom to that of Kant. The defense I will offer depends on a third possibility: that Arendt had a theory of judgment that was not rooted in a decision about guilt or beauty, but rather in the fundamental decision to love the world and to act for its sake.

When Arendt took up Augustine in the volume on "Willing," she did so in order to argue that theories of freedom went astray when they departed from the pure unforeseeability of the *liberium arbitrium*.

There, she was returning to work she had done in her dissertation on Augustine's account of desire and love. The difference between sinful lust and divine love depends entirely on a free choice made by the individual, yet Arendt's analysis showed that Augustine held that this choice could be guided or redirected if the sinner gave appropriate attention to his phenomenological situation. In this specifically phenomenological sense, thinking could interfere with willing. Yet as I will argue in this chapter, Arendt also held that Augustine himself had never properly understood the insight he had laid out, because it was corrupted by doctrinaire Catholicism, especially the suspension of judgment in the face of charity, which threatens to overwhelm the public realm.

Arendt's account of the phenomenology of desire in her dissertation was her first attempt to articulate the conditions of human existence. By focusing her attention on the difficulty of justifying 'neighborly love' within the Christian theological tradition, understood as *both* friendship and community affiliation, she developed the initial analysis that would become the prejudice against charity that later troubled Auden. Augustine, she argued, could not really justify Christian friendship on the basis of the phenomenology of charity alone, which contains a fatal ambiguity which later Christians failed to properly interpret. Without friendship, no politics is possible. Thus, Christian charity could not be the

basis for a successful politics. The difficult task of establishing a firm basis for that political friendship continued to plague her throughout her life, and I believe that this is why she returned to Augustine while writing the *The Life of the Mind*.

Having established that Arendt was not a complete Kantian when it came to judging, the obvious question is whether she was instead an Augustinean. Arendt had previously credited Augustine as the author of the best account of thinking, the last philosopher to properly understand freedom, and the first to accurately describe the operation of judgment, so his work was obviously more important to Arendt than much of the secondary scholarship allows.

Arendt's most frequent citations when discussing the tripartite structure of the *vita contemplativa* were to Augustine and Kant, both of whom themselves identified a three-part mental typology. But she did not intend to base her account on judgment on the activity that was called 'judgment' in either the Augustinean or Kantian taxonomy. As she signaled at the conclusion of the published work, the role of judging was not to apply cases to rules or even to hit the particular without rules. The role of judging was spelled out at the conclusion of the second volume. The last paragraph is worth quoting in full:

"I am quite aware that the argument even in the Augustinean version is somehow opaque, that it seems to tell us no more than that we are doomed to be free by virtue of being born, no matter whether we like freedom or abhor its arbitrariness, are 'pleased' with it or prefer to escape by electing some form of fatalism. This impasse, if such it is, cannot be opened or solved except by reference to another mental faculty, no less mysterious than the faculty of beginning, the faculty of Judgment, an analysis of which at least may tell us what is involved in our pleasures and displeasures." (Arendt 1978, II, 217)

The problem with freedom as Arendt described it was that it was ungovernable, launching irretrievable projects with unpredictable consequences, bound to trespass on someone or something. The impasse we face is not 'what to do' but how to love a world into which we are thrown without any choice. What Arendt sometimes calls the 'miracle' of natality is also a curse: that we are accountable for our actions without being able to know what our actions will do. By analyzing 'what is involved in our pleasures and displeasures,' Arendt had already signaled that she wanted to consider more than just the conditions of a judgment of beauty or the tension between such judgments' apparent universality and their indisputable and unreasonable roots in taste and personal preference. What interested her in 'pleasures and displeasures' was the way that our desires could be reoriented away from the objects of our enjoyment and towards the world itself.

At present, the best discussion of Augustine's possible value to Arendt accompanies the revised and corrected translation edited by Joanna Scott and Judith Stark. Scott and Stark make much of the fact that many of the key concepts from her later work can be found in incipient form in this early text, which "provides important and tantalizing clues" to the contents of the unfinished volume. In a few schematic pages, Scott and Stark explain that previous accounts of Arendt as a Kantian were missing "Arendt's use of *memoria* as the 'space' between past and future, which is the existential context for the mental act of judging." (Arendt 1996, 148) They also suggest that

"judgment is more a function of caritas as desire for an eternal, fixed truth than of caritas as the union of Creator and creature. In the former, a point of reference is attained whereby judgments can be rendered (by the order of love in the 'world' constituted by men... caritas entail[s] a return to the world, either to regulate it or to found new moral communities." (Arendt 1996, 149)

In this section, I will attempt to follow through on this suggestion that Augustinean *caritas* supplies a 'point of reference' (we might even say an Archimedean Point) from which judgments can be rendered. Though Arendt did indeed adopt the Augustinean conception of memory to describe the unification of the *vita contemplativa*, I do not believe that a further one-to-one reading of Arendt and Augustine can succeed. Throughout the chapter I will try to argue that it is indeed the case that Arendt sought a kind of *caritas* that would endorse 'a return to the world,' and that this 'charitable' judging would have made an appealing launch point for Arendt's original reflections on judging.

Arendt's dependence on Augustine's account of the memory parallels her claim that he is the first to correctly identify the tripartite nature of the soul. It had two iterations during his lifetime: the three parts worked out in the *Confessions* are knowledge and will, joined by existence: "I am a being which knows and wills; I know both that I am and that I will; and I will both to be and to know." (C, XIII, 11) In that book, memory is not a faculty so much as a storehouse from which these faculties derive their material. Only a few years after his completion of the *Confessions*, Augustine began *On the Trinity*, a text that took fifteen years to complete and invokes numerous triads in human experience as analogically related to the tripartite nature of God. The rational soul, however, is taken to be an image of God, and so divided into faculties of faith: contemplating, loving, and remembering. In none of these divisions does judgment appear as a faculty of the same status as those that make up the soul, through which God can be seen in image.

Yet judgment *does* appear in both texts, even if it is not a basic constituent of the soul. In the *Confessions*, Augustine argues that the capacity to judge is a capacity only available to those who have come to know God, and places the judge in a position such that he can judge others without being judged himself: "... we become new men in the image of our Creator. We gain *spiritual gifts* and *can scrutinize everything*—everything, that is, which is right for us to judge—*without being subject, ourselves, to any other man's scrutiny.*" (C, XIII, 22) This power of scrutiny, available only to the reoriented soul who has learned to know God, is not applicable to "spiritual truths, which are like lights shining in the firmament, for it is not right for a man to call such sublime authority into question," nor is it applicable to scriptural exegesis. Though given an extraordinary power, "approving what he finds to be right and blaming what he finds to be wrong," it is also inapplicable to those who do not belong to the community of believers, "those who still struggle without your grace." Instead, the judge is given a special dominion over "only those things which he also has power to correct." (C, XIII, 23) Augustine means by this that the priest can only judge the faithful in those outwards signs of faith that he can alter, but the jurisdictional limitations he explicates here are particularly interesting given the way they are taken up by later theorists of judgment.

In *On The Trinity*, however, things become more complicated. Augustine begins by supplying a hierarchy that places the contemplative faculty above the will, and argues that the faculty "to judge of these corporeal things according to incorporeal and eternal reasons" such as ratio and shape, is "part of the higher reason." Subsumed by contemplation, judgment provides the bridge by which contemplation accesses the corporeal. Augustine takes up this bridging through a sexual metaphor, identifying men and women with the faculties of contemplation and will, and noting that they "embrace" and become "one flesh" in the fashion of marriage and intercourse. Yet this sexualization of the spirit's relationship to the corporeal and the problem of action raises the problem of evil and temptation, and Augustine supplies a typology whereby all temptation can be read allegorically in the story of Eve's temptation of Adam with the fruit of knowledge. While at first he appeared to assign the will the role of fulfilling contemplation's commands, in order to mirror patriarchal dominance, this story forces him to rearticulate the relationship. In responding to the claim that it is the senses that tempt the mind, and that therefore women are wholly corporeal and spiritually inadequate to salvation, he once again invokes the trinity, assigning the senses the role of the serpent that tempted Eve. In this formulation, however, it would be the contemplative faculty that was cast as Eve, in that the received sensory impressions that provide the serpent's temptations are mediated by contemplation (in the form of judgment) before they proceed to tempt the will to act or remain chaste. Augustine reaches the conclusion that there is and must be a

“rational wedlock of contemplation and action,” which opposes the “hidden wedlock” of sin. (OT, XII, 12) But in the failure of the sexual metaphors, Augustine also points up the inevitable problem of subsuming judgment wholly under the mind’s other faculties. Mediation can never happen under a singular rubric, after all.

This problem is not resolved when Augustine goes on to deal with the possible eternity of the virtues. There he argues that justice has a special status, and that we can be most sure of its eternity because it is only in justice that we are able to contemplate nature. Augustine had posited learning and knowledge regarding God as one of the characteristics of eternal life, so contemplation that is adequate to its object remains a necessity. This adequacy can only be accomplished ‘justly,’ through a perfection of that virtue that allows us to see both the ‘injustice’ of a ratio and of suffering. However, the conflict between atemporal Being on the one hand and learning and becoming-knowledgable on the other seems to indicate that Augustine is not here handling the translation between Christian and Greek rubrics very well. In short, though Arendt may well have drawn on Augustine when articulating her own account of judging, it would not have been a pure appropriation. Arendt argued in her Kant lectures that any theory of judging must begin with taste and pleasure, and in that context, Augustine’s theory of judging is overly ascetic.

II. From Solitude to Solidarity

In this section, I will argue that Arendt’s concern with unconditional forgiveness and its capacity to undermine judgment can be traced back to her dissertation, in which she tried to show that Augustine’s phenomenological theology is responsible for the translation of the Neo-Platonist concept of eros into the Christian concept of caritas. Both classical and contemporary accounts of forgiveness depend on the false judgment at the root of the Augustinian stereotype of charity: his failed attempt to remove the contradictions between a Neo-Platonic phenomenology of desire and the divine command to “love thy neighbor.” Thus Arendt’s “prejudice against charity” is rooted in this youthful judgment about the failings of charity itself.

Arendt’s principle goal in the dissertation is to supply a “perceptive interpretation,” a phenomenological account, of Augustine’s thought, “continuously guided by the question of the meaning and importance of neighborly love in particular.” (Arendt 1996, 3) Her conclusion is that Augustine’s defense of *agape* requires a different reading of his phenomenology of desire and sin than the one that is most often attributed to him, not the least because Augustine himself developed increasing “dogmatic rigidity as he grew older.” (Arendt 1996, 3) The dissertation is divided into three sections, each of which indicates a

particular phase in the phenomenological development of Augustine. The first section moves from the structure of desire to an exploration of the consequences of mortality. In the second section, Arendt uses a consideration of memory and time in order to supply the missing justification for brotherly or neighborly love in Augustine's theology, which would otherwise seem to privilege isolated contemplation. In the third section, Arendt develops her own interpretation of the relationship between *caritas* and *agape*, such that Augustine's own claims about the source of sin and distance from the divine and our fellow human beings come under fire. This final section begins the development of Arendt's unique understanding of the phenomenological concept of "world" and the *amor mundi*, or love of the world, which is the proper foundation for other judgments.

From the start of the dissertation, Arendt argues, somewhat idiosyncratically, that for Augustine, *caritas* (charity) is distinct from and superior to faith.²⁷ She proceeds in both a historical and a phenomenological manner, interweaving Augustine's texts and influences with an original phenomenological analysis. She explores three forms of love: lust, love of God, and love of neighbor.²⁸ The first form is typified by craving and desire, the second by conscience and grace, and the last by charity and community. Arendt uses Augustine to analyze the temporal structure of each of these forms of desire, rendering his haphazard meditations on the experience of wanting and loving into a rigorous schematic account, not just of lust, greed, and fear of death, but of the intentional structure by which our emotional states are related to objects in the world. To these, she weds reflections on Augustine's metaphysical antecedents, his attempt to translate Neo-Platonism into a Christian theological idiom using this phenomenology of desire as the cipher key.

Arendt's dissertation is oriented by the apparent conflict between faith and fellowship in Augustine's retreat from the apparent consequences of a purely contemplative life to the political commitment to the preservation of a sempiternal world, which apparently contradicts the Christian quietism oriented towards static and unchanging Being: "Thus, in the return from eternity, the self-oblivion of craving would let man see his neighbor as well as himself only from an absolute distance, since every original relationship has been forgotten along with the self." (Arendt 1996, 98) Arendt's reading of Augustine emphasizes the movement from perverse desire, *appetitus* and *cupiditas*, to love of the world, *amore* and *caritas*. Yet she concludes that work with an unsatisfying solution to the apparent paradox of an obligation to forgo desire or engagement with the world within a tradition that also commands the sinner to obey secular authorities, permits violence in defense of the state, and seeks to maintain the biological necessities of life rather than embracing asceticism, poverty, and ultimately mortality.

Augustine's *Confessions* depict a spiritual quest that begins with the loss of a friend and seem to conclude that the fellowship of others is merely a distraction from the isolation demanded for prayer and contemplation. Yet Augustine's own post-*Confessions* course led him deeper into the politics of the Church in North Africa, there to dispute with the Pelagians and the Donatists precisely about the doctrine of forgiveness. If a proper understanding of faith leads one to ignore or detest earthly existence, then how can we also be obligated to love our neighbor or work to preserve the Church? This paradox haunted the early Church which sought institutional expansion and struggled over the demands of doctrinal conformity and the freedom of conscience.

Augustine attempts to regain the comfort of the lost friend and to escape the intimation of his mortality through a theological reworking of that experience of loss and an embrace of mortality. With the help of the Manicheans, Augustine begins to believe that this inevitable end is preferable to the dissatisfaction of unquenchable desire, and his conversion to Christianity changes little from the phenomenological and metaphysical perspective. To be sure, Augustine exchanges the Manicheans' clumsy mythology for the more detailed cosmology of "the books of the Platonists," but in both, desire is the cause of evil and material embodiment is a burden to be shed.²⁹

a. *The Structure of Desire*

In Augustine's *Eighty-three Different Questions*, a pedagogical text that Augustine apparently used to prepare his responses to frequently asked questions before his selection as the bishop of Hippo, Arendt identifies a two-dimensional structure of desire. On one dimension, desire is a combination of 'aiming at' an object and 'referring back to' the self's desires. On the other dimension, this to-and-fro between self and object is set in motion as an activity that can continue or cease. (Arendt 1996, 9) This is metaphorically akin to physical trajectory, which combines both vector and velocity. In the spatial dimension of aiming and referring back, desire is experienced as a concern for the world instantiated in some object, to which the desiring self attends and from which it seeks satisfaction through possession or consumption. This desiring subject always experiences this object as either wanted and absent or owned but imminently subject to loss. Whether in craving an object or fearing its deprivation, the desiring subject is fixated on the future, oriented towards gains and losses to come, and never able to subsist in the world of objects already possessed and immune from potential loss or destruction. The consequence is necessarily frustration, and desire's pull, while no less necessary, becomes evidently impossible and fruitless. "And so, the future destroys the present." (Arendt 1996, 10)

In the temporal dimension, the activity of desire itself gives rise to a world where time, anticipation and recollection, are also at issue. In her account of the temporal dimension of desire, Arendt emphasizes the paradoxical nature of a craving that, in its very orientation towards the future, encounters the limits of mortality and the unfulfilled conclusion of all desiring. As we realize that every object possessed is one more whose loss we must fear, and that at some unpredictable moment in this cycle we will lose life itself and the attendant predicate of 'wanting' that provokes this unease, our anxiety of the prospects of death and loss subsumes the craving for external objects. At this level of reflection and abstraction, we recognize that our continued existence is a condition for the movement towards an object which refers back to ourselves and the good to be derived from it.

The central problem that confronts the Augustinean subject is his own mortality. Though Augustine's libertinage and dissolute professorship suggest a different justification for his attention to desire, he maintains throughout the *Confessions* that these later excesses are attributable to his early experience with the loss of a friend, which taught him that all human beings bear the burden of a terrible future.

Augustine leads his readers to appreciate this paradox in the structure of desire, and to realize that it might be inappropriately directed to external objects. He proposes a possible solution through a turn inward toward the self whose loss spells the end of desire itself. Arendt cites Augustine's pledge to "retrieve [himself] from the havoc of disruption" out of "love of your love." (Augustine 1961, 43)³⁰ Lost in his many attachments and cravings, Augustine discovers that what unifies them is a self and its conception of the Good. This discovery leads him back to himself, following the trajectory of that 'referring back to' that made the objects desirable 'for him.' In his self-inquiry, he also begins to research common features that caused him to choose those external objects in the first place, the concept of the Good or 'for the sake of which' that made them each desirable 'for him.'

This inward turn creates in the confessor a kind of benign self-centeredness or egoism, and Augustine discovers that it only exacerbates his anxiety about himself and his future that ultimately points him, and his readers who take his confession as a model for their own attempts to resolve the conflict, away from both subject and object. As Arendt explains, self-referentiality is built into the structure of all intention, since it refers both to itself and to its object at the same time as it 'refers' to a third thing, the reference or 'for each other'-ness entailed by the intentional activity itself. (OT, IX, 2) Arendt emphasizes the way that the intentional proposition "I want a cup of coffee" involves myself, a cup of coffee, and this 'wanting' that ties us together. Even if I am in possession of myself and a cup of coffee, the activity of 'wanting' is not, for Augustine, proper to me. It is God's love that somehow binds me and the cup of

coffee together. For Arendt, Augustine's principle claim is that the mind's pursuit of self-knowledge and self-love are both aimed at a "love for God's love," the third term of the intention from which our own love takes its cue.

b. Mortality

In this structural account of the human encounter with the world, Augustine challenges himself and his readers to maintain a preference for certain expressions of desire over others in the distinction between lust and charity. A full appreciation of the tripartite structure of desiring intentionality demands that I forgo the object of desire, the cup of coffee or the gadget, and also the self-retrieval project of the original 'question to myself.' I choose this withdrawal from self and object in favor of the contemplation of the desiring that connects us. This requires us to pry our attentions away from both its object and its subject towards the activity itself. Where the original desire for the object is lustful, Augustine calls this reoriented contemplation of wanting 'faith.' Faith is the act of distinguishing these terms and redirecting desire's intentions towards the ultimate term. Desire-for-desire's sake allows the intentional structure to become self-directed again, and thus to turn towards God. (Augustine, et al. 1991, VIII, 5) The experience of lust disrupts self-referentiality and devolves into affection 'for the sake of' the object rather than for its own sake. It thus mistakes itself for hunger and a desire to possess. Desire for corporeal objects will always suffer from this devolution, and only a reorientation towards the mind and the minds of one's fellow believers will allow the trinity to heal. He writes:

"I cared for nothing but to love and be loved. But my love went beyond the affection of one mind for another, beyond the bright beam of friendship. Bodily desire... welled up within me... I could not distinguish the clear light of true love from the murk of lust." (Augustine 1961, 43)

Augustine regularly falls back on this distinction between the mind-to-mind "affection" and embodied desire. Freed of its corporeal constraints, Augustinian affection can possess without consumption, because the object in this Augustinian form of friendly craving is that within the friend which is eternal and imperishable.

As Arendt interprets this familiar account, Augustine sets up a dichotomy between lust, *cupiditas*, which is destined to produce evil and unhappiness, and *caritas*, care or charity, which is good and "well-ordered." Alongside the "good love" and "bad love" axis, Arendt identifies a second dichotomy between *amor*, love as an activity of affection or relation, and *appetitus*, love as craving. She goes on to claim that this appetitive relationship is shared by both forms: "[B]oth right love and wrong love (*caritas* and

cupiditas) have this in common—craving desire, that is, *appetitus*. Hence Augustine warns, ‘Love, but be careful what you love.’” (Arendt 1996, 17)

In loving his friend, Augustine’s appetite was only stymied by its failure to consume the object of desire absolutely, to incorporate it as we do our nourishment before the object can ‘spoil’ or in the friend’s case die. Yet there is also a hint of another kind of orientation towards other subjects, with which this appetite interferes: “the murk of lust” blocks “the bright beam of friendship.” The digestive metaphor that is still evident in the Latin *appetitus* indicates that Augustine’s lust aims at possession and mastery of its object. Though it also craves its object, charity does not suffer from the impossibility of satisfaction that characterizes lust because its object is inalienable and inexhaustible. This is one of what Arendt called the “incongruities” in Augustine’s definition. (Arendt 1996, 7)

In loving someone who has died, my attention is directed back to this activity of care, and to my own precarious position. The lover is subject to all the same risks as the object of his love, but the lover cannot turn to the love *of* love for a solution to this problem, since this only secures two points of the triad. On Arendt’s account, the first stage of Augustine’s solution is one that paradoxically embraces mortality as the only possible cessation of desire. In this ascetic version of love, detachment from the corporeal objects of desire can only occur when the desiring subject’s corporeality has also been destroyed.

Under the spell of this tragic awareness of desire’s structural insufficiency, death becomes something to be craved. This is a reimagining of the traditional version of Augustine’s position; when he writes about the role of death in bringing us closer to God, the function is explicitly ambiguous. Augustine’s praise of God for mortality, “...you kill us so that we may not die away from you,” (C, II, 2) means first that it is the threat of death that causes us to turn towards the divine, but also, and more importantly, that a life lived temporally will always suffer the risk of non-Being infecting our habits at any moment. Death provides salvation from this admixture of Being and non-Being.

Arendt calls this orientation towards death-as-salvation the position of absolute futurity. It takes up the futural logic of all desire and extends it to its equally logical conclusions. Yet in doing so, the anxious movement of desire is stilled by the steadiness of its object. The inevitability of death for all mortal beings allows *this* mortal being to find a steadfast substitute for desire: self-loathing. This experience takes up the moment of self-love, which is tied to the present and to temporality, and as if in a flash of comprehension sees the structure as of a piece and inadequate. The only solution, Arendt argues, is to radically negate the entire arrangement. But the form of this negation takes its shape from that which it

has negated. In negating the present for its tendency to proceed towards the mortal future, Augustine turns to the past, and finally towards an eternity that is perpetually “now.”

c. Memory

Arendt’s inquiry into this the metaphysical conclusions of Augustine’s *Confessions* thus begins with the temporality of eternity. In the second section of her dissertation, she turns from the absolute future to the absolute past, specifically Augustine’s efforts to analyze the contents of his own memory for evidence of the happiness that he seeks in the future. Augustine’s exploration of the “palaces of memory” through autobiographical writing becomes an inquiry into the nature of memory itself, and specifically the image of a creator found stamped in our knowledge of a happiness that we have otherwise never known:

while this total, uninhibited direction toward the future seems to follow logically from the structure of desire, it leaves out, or rather neglects, the simple fact that in order to desire happiness we must know what happiness is and that this knowledge of the desired object necessarily precedes the urge to possess it. (Arendt 1996, 46)

This backward-looking interiority stands in for the eternal moment, and also functions as our only possible access to it. This is the purpose of the confessional form: it serves as a means of dredging our memory so as to know our most fundamental thoughts, and so origins. We hope to find both God and ourselves there in memory, and “happiness” is the guide. The memory of happiness “is not simply an innate idea” as is, for instance, the idea of perfection for Descartes. Instead, it is “specifically stored up in memory as the seat of consciousness.” (Arendt 1996, 47) The claim that memory is the seat of consciousness foreshadows her later claim in the volume on “Thinking” that contemplation strips sense-perceptions of the visible aspect of an experience, delivering the “the deliberately remembered object” independent of the “mere image of what once was real.” (Arendt 1978, 77)

Yet in *Love and Saint Augustine*, she attributes even present encounters with the apparent world to the activity of memory, following Augustine in his remarkably modern claim that all presentations of the world are ultimately representations of the senses: even the “now” is encountered in memory, and the experience of self-identity or a unified self is only the result of recollection, literally “collecting myself from dispersion.” For Augustine, we gain self-knowledge through memory, specifically the memory of our own creation that identifies us as the product of a Maker, whose signature is marked in the memories of a happy life that predates our own existence.

Given Arendt's later account of the human condition as an activity of self-preservation, of making and creation as the work of fashioning a meaningful world, and of unprecedented beginning as the singularizing moment of self-disclosure, her critical interpretation of Augustine's account of God as the Creator take on a striking importance. For Arendt, self-preservation, the production of the world, and the capacity to begin anew are all human capacities. For Augustine, these capacities are divine, and human beings who engage in them only imitate the divine. Labor, work, and action are the sins of vanity, pride, and hubris. Her reading of Augustine's attempt to maintain God's dominance in this role as Creator is at once a charitable and suspicious: exegesis in search of a mistake, the moment where Augustine's analysis moves from phenomenology to ont-theo-logy, the moment where Arendt's friendly reading must become hostile or risk following Augustine in conversion.

The reading begins with the attachment to one's own being, even in the midst of misery. Arendt writes: "the will to *be* under all circumstances is the hallmark of man's attachment to the transmundane source of his existence... it is a characteristic of the human condition as such." (Arendt 1996, 52) For Augustine, what we will when we prefer our own existence is something that "is neither Being nor non-Being, but something in between," (Arendt 1996, 52) because the existence we wish to preserve is always in flux, becoming other than it is, "acting and behaving in some way or other, always in motion, and thus opposed in any way to eternal 'enduring in itself' (*permanere in se*)."³¹ (Arendt 1996, 53) For Augustine, ordinary, mutable human existence is at odds, "opposed in any way" to the kind of immutable Being that he attributes to the divine. It is "the antithesis of his own mode of existence," (Arendt 1996, 53) and we can only unify these antithetical modes in memory.³²

Arendt claims that this unification is a uniquely human capacity, and that holding knowledge of both our inevitable future and our irrevocable past allows us to recoup the happy life we can recognize without every having known:

Only man, but no other mortal being, lives toward his ultimate origin while living toward the final boundary of death. Since he can concentrate through remembrance and anticipation his entire life into the present, man can participate in eternity and thus be 'happy' even in this life.
(Arendt 1996, 57)

Arendt concludes that Augustine's conception of eternity rests on the relationship between God, Being, and time. But she identifies two "heterogeneous" assumptions that explain this relationship: that "man's quest for being is answered by the structure of the universe, of which man himself is a part," while at the same time, "man has begun to ask himself out of the world in his quest for 'true being.'"

(Arendt 1996, 58) Arendt does not call these assumptions contradictory, and indeed she does succeed in demonstrating a possible reconciliation for them, but she clearly prefers the former, which she calls Greek, to the latter, which she attributes to the Christian world-view. Where for the Greeks, "Being... is the everlasting, forever lawful structure and the harmony of all parts of the universe," (Arendt 1996, 61) from the Christian world-view we must distinguish the Creator from the universe of his creation, and then further distinguish the universe from the man-made world produced through the activity of his Creatures, "the human world constituted by men." (Arendt 1996, 58)

If God is an entity outside of his creation, if the Creator exists as a remainder of Being that remains uninstantiated in any of the beings that have been or will be, then eternity would be that space outside of time from which all of time was laid out, distended and available for inspection. If God and Being are self-same, and Being in no way exceeds beings, then the eternal 'perspective' would be immanent to beings, only available through their existence. In his theological writings, Augustine favors the former, extra-temporal divine, positioning God outside of beings and their becoming, because this would be the only position from which he could be the ground for creation. Yet Arendt favors Augustine's phenomenological account of the present as a sempiternal *nunc stans*, which emerges from his exploration of the structure of origins. She contrasts the problem of creation and the creature's relationship to a Creator to the Platonic model in which the maker and his product require an intervening model, and "it is the model that has no beginning, is 'everlasting' (*aidon*), and without any change." (Arendt 1996, 63)

In *Love and Saint Augustine*, Arendt describes this as Augustine's unique contribution, though she corrects this claim in *The Life of the Mind* when she attributes the first mention of "this suspension of time's motion in an enduring present" to Aristotle's discussion of pleasure in the *Nicomachean Ethics*. (Arendt 1978, 12) She labels him the originator of the present as a durable tense, rather than the limit of past and future, as is seen in Plotinus. (Arendt 1996, 15) This contribution springs from Augustine's consideration of own temporal experience arrived at through desire, on the basis of his own theory of happiness perhaps inherited from Aristotle on pleasure. He restructures the received articulation of our experience such that all moments, not just the pleasurable ones, can be experienced as a complete moment rather than part of a larger whole constituted by a multiple of moments, an enduring present in which "there is no motion." (Arendt 1978, 12) In *Love and Saint Augustine*, Arendt derives this notion from Augustine's reflections on time in the *Confessions* and the *Enchiridion*:

In longing for and desiring the future, we are liable to forget the present, to leap over it. If the present is altogether filled with desire for the future, man can anticipate a timeless present "where the day neither begins with the end of yesterday nor is ended by the beginning of tomorrow; it is always today." This is properly called "divine time," that is, the time of him whose "today is eternity." (Arendt 1996, 27)

Forgetfulness appears as a problem in this conception of the present: the present is what is lost in anticipatory desire and regained in the reoriented formulation of desire as *caritas*. The present is remembered, but to recollect it we need to use a mnemonic device: we must rehearse both dissatisfaction and mortality. For Augustine, the present is found both in our experience but lost through our typical relation to that experience; it can only be regained as a memory of divine time or *nunc stans*: a 'standing now' or 'enduring present.'

Arendt would later borrow the same phrasing to describe the unification of the thinking, willing, and judging in the *vita contemplativa*: "the activity of the mind always creates for itself *un présent qui dure*, a 'gap between past and future.'" (Arendt 1978, 12) However, only thinking truly subsists in that Now. Willing projects itself into the future from the present. Congruence suggests that Arendt might have written that judging projects itself backward into the historical tradition that grants the judge his authority and identifies his jurisdiction as the scope of his enlarged mentality, and indeed her first stab at the gap, in *Between Past and Future*, does suggest that only the authority of a tradition supplies the spectator with the grounds for a judgment.

This dissertation was Arendt's attempt to practice the craft of existential phenomenology, learned under the tutelage of Heidegger and Jaspers. Arendt's choice of Augustine for a topic indicates a critical stance toward the fundamental ontology she experienced in the lectures which would become *Being and Time*, which she attended while writing the original dissertation. Where Heidegger sought to extricate Da-sein from the public self-alienation of 'the they,' Arendt found in Augustine a thinker trapped in his own suffering and sin, whose turn toward the divine and eternal cloaks a more authentic turn towards Being which finally leads him to embrace his neighbor and the world.

What is most striking about the text as an artifact of her time with Heidegger is her effort to elaborate a metaphysical defense of communal belonging within an ontology devoted to solitude and the singular contemplation of a transcendent God. This represents her first attempt to discover the phenomenological connection between solitude and charity, and to structure an account of being-in-the-world that is not always already anticipating mortality. Instead of this fundamental attunement

towards death, Arendt finds in Augustine a mode of attunement that overlooks death and eternity in returning the solitary sinner's attention to his neighbor and the world he or she inhabits. Thus Augustine supplies the crucial connection between thinking and judgment by supplying an impetus within thinking's two-in-one for turning back toward the world, like the equally inexplicable return to the Platonic cave.

In the prefatory essay of *Between Past and Future*, the model of judgment takes its trajectory from the Kafka short story, "HE." In that story, the male protagonist is beset by two attackers, one behind and one ahead, each attempting to push him towards the other. The protagonist wishes only to "jump out of the fighting line and be promoted... to the position of umpire over his antagonists in their fight with each other." Arendt takes the antagonists for the forces of time, the protagonist for the experience of struggling to maintain our footing in the present beset by a past that carries habits, history, and prior commitments, and a future of anticipations, surprises, and inevitable mortality. The desire to leap outside of time in order to judge its passage is a teleological impulse that, Arendt argues, undermines free action. In her later work, she ceases to use the term 'judging' to describe this withdrawal from the pressures of past and future, and instead calls it thinking, but certainly Augustine argued that we can model human judgment on divine judgment. In *Love and Saint Augustine*, Arendt couches this judging as a 'love of the world' that is only possible if the phenomenology of desire has been traversed.

III. Judging and the Love of the World

"Not just occasionally but always the meaning of a text goes beyond its author." (Gadamer, et al. 2004, 296)

For Augustine, charity was at once the result of phenomenological exploration and the emotion most closely associated with Christian faith: "I call 'charity' the motion of the soul towards the enjoyment of God for His own sake, and the enjoyment of one's self and one's neighbor for the sake of God." (Augustine and Robertson 1958, 88) As we shall see, it also became the justification for Catholic unity, and a technique for scriptural interpretation. As a hermeneutic strategy for reading the difficult text of the Bible correctly charity promises to justify the union of ontology and theology. Moreover, in its rendering as 'the principle of charity' it has become a strategy for interpreting secular authors and our fellow interlocutors in the wake of Augustine's use.

What fascinates Arendt is how this phenomenological analysis becomes the basis for a non-contemplative community. How can the love of God's love ever respond to the commandment to love

one's neighbor? Why doesn't Augustine's analysis drive him into solitude? After having realized the mistake in loving his first friend, why would he ever do it again? Why does Augustine move from his *Confessions* into the politics of the North African church and disputatious confrontations with heretics? In short, how can a Christian have friends?

Arendt identifies three ways in which Augustine derives the love of the neighbor. First, we are to love the neighbor as a matter of law, because God commands it. Yet in light of the general principle of charity, this must be distinguished from a misinterpreted Biblical demand, as when the *Song of Solomon* is "mistakenly" interpreted to praise licentiousness. Second, we are to love the neighbor "as oneself," that is, with the same ultimate other-denial that self-love, understood as pride, is transformed into self-denial. In other words, to love the other "as oneself" is not to love them at all, but only to love the God who created them and the act of loving that partakes in God's loving for the world: "It is not really the neighbor who is loved in this love of the neighbor—it is love itself." (Arendt 1996, 97) When God is understood as commanding this kind of estranging love, Arendt notes that Augustine's "purely ontological concept of god as Creator and Supreme Being grow[s] specifically Christian and theological." (Arendt 1996, 85)

This is not a form of *caritas* that can be arrived at through the decontextualized phenomenology of desire. For Arendt, it is a failure of the principle of charity in Biblical exegesis. She calls it "the ultimate hyperbole," by which "the community of Christ is understood as a body containing all individual members within itself," and the "individual is completely forgotten" because "being is common to all." (Arendt 1996, 108-9) This hyperbolic account of the relationship between human charity and the Supreme Being understood as love dissolves the two-fold ambiguity between man as creature and man as inhabitant of Creation: "...man is seen [in the sense of being produced by a self-identical God] as isolated and coming by contingency into the world viewed as a desert. [In the sense that man is the product of biological ancestor] man is seen as belonging to mankind and to this world by generation." (Arendt 1996, 112) For Augustine, Arendt argues, the world must always be viewed from these two perspectives: both as the desert, a site of abandonment in which we quest and question for a return to our creator, and a community of natural relations between creatures. In these perspectives, we can see Augustine attempting to unify his Neo-Platonic influences with Christian love of the world. Arendt seems to believe that he fails, or at least that his success is only available to his fellow believers.

There is, however, a third possible justification for love of the neighbor, a dormant possibility that is lost to Augustine in his efforts to achieve doctrinal integrity with the already-existing institutional theology

of the Church. Arendt describes this third possibility while contrasting the divine act of Creation with human making: man “stands outside his product” and “can withdraw from it at any time,” whereas God is “infused into the world.” Thus man can always abandon the world he has made, and made habitable, through his work. Only when he consciously adopts the world through desire, knowing that the end of that desire is dissatisfaction and ultimately mortality, can that world be more than an estranged product: “it is through love of the world that man explicitly makes himself at home in the world. The world cannot be worldly until man’s making and loving occur independently of pure createdness.” (Arendt 1996, 67-8) On this view, we can love the neighbor because we share the world with him and together make it habitable through work, or act regarding its fundamental constitution in action. This variety of neighborly love also suggests a possible ground for judging, understood as interpretive discrimination or exegetical openness.

In his book *On Christian Doctrine*, Augustine writes that “Scripture teaches nothing but charity, nor condemns anything except cupidity... if the minds of men are subject to some erroneous opinion, they think that whatever Scripture says contrary to that opinion is figurative.” (Augustine and Robertson 1958, 88) Since all Biblical sentences must be true, on Augustine’s view, we need only determine the truth beforehand and then read each sentence as a confirmation of that pre-determined view. Apparent contradictions are to be interpreted as figurative or symbolic elements that, when properly understood, dissipate into further confirmation, and ambiguities are always to be resolved in favor of that charity and against lust and cupidity. Further, the work of resolving these apparent contradictions and ambiguities is a charitable gift from God, the equivalent of a divine Sudoku puzzle to entertain and enliven the faith of intellectuals who might otherwise be tempted by metaphysical fallacies.

As far as I know, this is the original articulation of “the principle of charity.” Where Augustine takes the end point of his phenomenological and theological inquiry as the starting point for interpretation of ambiguous passages in the Bible, this principle has become widely used among other forms of interpretation, especially dialogic and potentially antagonistic exchanges where hermeneutic charity is understood as a desire to interpret the claims of an author or interlocutor so that seemingly unintelligible statements can at least be evaluated for truth or falsehood.³³ In its original form, it is not particularly useful as a demand for rhetorical respect for arguments or an argument against sophistic devices. Yet the connection to forgiveness is fairly obvious: we ought to forgive mistakes, errors, and idiosyncrasies in conversation or writing because we are all fallible and will all require this forgiveness in turn, as our cultural references are lost or the assumed readership changes. At the same time, if our

conversations are to serve any purpose beyond mere entertainment, they must still purport to be “about” something, and thus the interlocutive principle of charity cannot demand that our readers or listeners pretend that everything we say is true of some interpretation.

For Arendt, judging understood as charity or love of the world is not the same thing as mere enthusiasm. For one thing, it must still be able to discriminate, to refuse to love or to forgive. We can only love the world that we have actively appropriated, that we have made habitable through our own efforts, even if those efforts only extend to the willing adoption of history and a tradition into which we are thrown through natality.

If charity is set free to be the basis of a global religion, the “incongruities” at the heart of this onto-theology only threaten to render that world a wasteland. In many ways, Arendt’s reading of Augustine seems to reproduce the tropes of the first half of *Being and Time*, starting with the unexamined everyday situation and deriving an account of our being-in-the-world from an author whose theology seems bent on finding an escape from worldliness. Scott and Stark write that “Arendt immediately abandons Heidegger’s death-driven phenomenology with Augustine as her guide.” (Arendt 1996, 125) While this is the first place we see her juxtaposing “natality” with “mortality” it is not clear that she is abandoning Heidegger so much as counter-balancing him. Though she worked with Karl Jaspers, the dissertation demonstrates a fascination with Augustine’s defense of the substitution of metaphysics for the fundamental question of Being. This she attributes to Augustine’s derivations of an eternal *nunc stans* combined with his efforts to combine original phenomenological inquiry with a defense of the specific theogony and cosmogony of the Christian Church. Even after innovating the use of the ‘principle of charity’ in exegesis, Augustine cannot be accused of engaging in non-dogmatic metaphysics, especially since so many of his efforts are devoted to rendering doctrinally sound interpretations of recalcitrant passages like “love thy neighbor” and quelling the objections of schismatics like the Manichaeans, Pelagians, and Donatists.

The exegetical principle of charity raises key questions when applied to the potentially divinely inspired utterances of Augustine’s fellow Christians rather than to scripture. How must fellow Christians deal with each other when they disagree? Augustine’s debates with the Donatists supply an excellent opportunity for seeing how the theory is applied in practice, and at first glance he seems to fail his own standard.

Chapter 6

The Problem with Charity

“If justice is what love looks like in public, then deep democracy is what justice looks like in practice.” (West 2008, 210)

A pure dialogic position that embraces the ultimate fusion of worlds seems to demand catholicism: the creation of a global *sensus communis*, a universal church or an expansive political order. If judging is to adopt a maximally enlarged mentality it must somehow represent everyone’s perspective to itself.

Arendt’s position, which she expressed best in her more troubling writings on Little Rock, was that each community must be able to supply a degree of social discrimination to make political action in the public sphere possible. Thus each community must both suppress pluralism within itself and work to maintain a public sphere at its borders.

In their 2004 book *Why Deliberative Democracy?* Amy Gutmann and Dennis Thompson articulated a vision of democratic politics rooted in deliberative opportunities and institutions, foregrounding dialogue and the exchange of reasons in political decisions and relegating the electoral and procedural elements of representative democracies to the background. They based their conception of deliberation on three principles: publicity, reciprocity, and accountability. Publicity constrains deliberators to share their reasons for supporting a policy with their fellow citizens, while reciprocity requires them to restrict the reasons given to those they would expect their interlocutors to accept. Finally, accountability requires that public officials execute the decisions of deliberators, submit their action to regular criticism, and respond to those criticisms. Accountability requires a mechanism like election or impeachment with which an official’s constituents may withhold approval.

Certainly it is not always the goal of deliberation to achieve consensus, but in modern democratic republics, the state must undertake the task of justifying any non-defensive invasion to the soldiers and citizenry who will fight and bear the cost of the adventure, or else risk the loss of support and the electoral upset. For Gutmann and Thompson, the state takes on an additional task in its justifications: because of the requirements of reciprocity, it must give reasons tied to our shared view of the public good rather than jingoism or bravado.

The problem with Gutmann and Thompson is that they fail to account for the worst biases of deliberating publics: solidarity and xenophobia. The sense of mutual respect required for reciprocity depends on an in-group/out-group delimitation: we often feel that we only owe reasons to those who are *like us*, either because we must share in the governance of the republic with them, or because we share sufficient cultural assumptions to be persuaded by similar reasons. Deliberation's major successes are to be found in the broadened in-groups that deliberative communities encompass, and we will celebrate this capacity to expand horizons soon enough. However, we shall also be forced to confront certain deliberative limitations: while good institutional design can avoid intramural group polarization, there is no evidence that institutions can simultaneously call on the in-group loyalty of fellow citizens to engage respectfully with their opponents while avoiding fear of out-groups who they neither understand nor trust.

Accountability does not always mean rejection or grudge-holding. Sometimes accountability simply entails the reconciliation of an actor's reasons and the recognition of the limitations of every actor vis-à-vis the consequences of her action. But for Arendt, this reconciliation of reasons is accomplished in thinking, while the recognition of the limits of foresight is demonstrated by willing. Thus, we again come up against the impasse of freedom that only Judging can make palatable.

It remains to be seen whether judging understood as a disposition can be properly understood as a political judgment or equated with deliberative democratic decision-making. In this chapter, I will address these questions: what is the significance of prejudice, for Arendt, and why does she claim to have a prejudice against charity? Does Arendt's critique of charity and the duty to forgive prefigure her unwritten account of judging? If so, how?

I. Prejudice as the Crystallization of Judgments

Prejudice has few defenders in the 20th Century, when it became synonymous with ignorance and intolerance. In order for us to understand Arendt's "prejudice against charity" properly, we must evaluate her idiosyncratic understanding of both prejudice and charity. In this section, I will address Arendt's understanding of prejudice. Both a systematic defense of prejudice and a more detailed account of her attack on Christian charity can be found in an unpublished text where she articulates the theoretic foundation of much of the rest of her work. This text, "Introduction *into* Politics", was meant to serve as a "large, systematic political work" divided into two volumes, the first of which eventually became her book *On Revolution*, while the second "introductory" text would have been "concerned exclusively with action and thought." (Arendt and Kohn 2005, xvii) Arendt's attempts to connect this

defense of prejudice to the development of Christianity and privacy of faith make it clear that there is more to her 'prejudice against Christian charity' than a throw-away line in a letter to friend. The development of Christian social forms is closely tied to the development of modern politics and the eventual downfall of publicity and action. Her early attempts to account for this intricate history form a genealogical critique of our prejudice *against* prejudice, our unwillingness to discriminate or choose without full deliberation. In this section, I will give an overview of "Introduction *into* Politics," where she describes a relationship between judgment and prejudice that takes that word literally as pre-judgment or presupposition, and articulates a vision of the Christian's private world that is utterly anathema to public freedom.

"Introduction *into* Politics" begins with the claim that judgment entails provisionally settled presumptions, which may certainly be rebutted but not all at once. Arendt paints judgment with broad strokes as heuristic instruments for living in a world whose every relevant detail cannot be fully known in advance. On this account, we move through the world with shorthand judgments at the ready, using our just-so stories and stereotypes to approximate good, sound judgments when there is not enough time to do otherwise. Rather than decry the superstition and ignorance of a life lived dependent on these prejudices, however, Arendt celebrates the simplicity they create. In fact, she argues that we need the relative stability of a world that mostly matches our expectations in order to function at all: "Man cannot live without prejudices." (Arendt 2005, 99) We experience novelty and surprise against a backdrop of static and predictable phenomena.

Prejudices are crystallized judgments, "anchored in the past," and their anchoring in some original judgment is what gives them their power. As such, prejudices are the last vestige of tradition, the handing-over of memory's judgments to future selves and citizens. They garner their usefulness from this original encounter with some novel event, but they can also block new encounters.

Arendt's account of prejudices benefits from the distinction in scientific instrumentation between precision and accuracy: a good prejudice delivers *precise* results, which is to say that they are predictably repeatable. Yet precise results may still be inaccurate: deviating from the true measure by some quantity that is not necessarily known in advance. In this, they are like Kant's account of determinative judgments, which simply apply rules or standards to an individual case. Such dependence on a traditional standard is prejudice *par excellence*, but it need not trouble us that we spend much of our social lives measuring events against the yardsticks supplied by memory and tradition. In this, our social lives show us thinking as calculators, applying rules to cases mechanically and with varying

degrees of precision, but with little concern for accuracy since the rules themselves are not under consideration. Original judgments meet with resistance and require persuasion: they are achieved only by shattering an old and crystallized judgment. Original judgments, then, are like acts: their novelty disrupts the foreseeable order of cause and effect, of public rules predictably applied to foreseeable cases.

Contrast this understanding with our use of 'stereotypes': originally derived from a printer's term for the duplicate plate used to print common templates or images to avoid damaging the original, it came to mean an 'image perpetuated without change.' Since Walter Lippmann's 1922 work on propaganda *Public Opinion*, the term 'stereotype' has been used to refer to the simplified prejudices (the 'pictures in our heads') available for manipulation to those 'manufacturers of consent' who, on Lippmann's account, must convince the public to allow elites to do what they know to be best. In later analyses of public opinion, 'stereotype' is often used alongside 'prejudice' to refer to the bigoted or intolerant opinions of those who make important judgments based on those pictures despite the complications reality usually presents. Stereotypes, like prejudices, resist original judgment. Unlike prejudices, stereotypes tend to designate the crystallization of *false* judgments, even judgments disseminated to deliberately deceive and oppress. In this, they are unlike Arendt's use of 'prejudice' as judgments that were once accurate, but not necessarily still so.

What, then, is crystallized? The judgments we crystallize are memories of the past that promise to be applicable to the future. Where thinking withdraws from appearances to consider the invisibles, judging preserves the visible as an example for future comparison. The stereotype is a prejudice without an accompanying judgment, a judgment of *das Mann*. A stereotype may be accurate or inaccurate, relevant or outdated, but what makes it unique is that it crowds out our own judgments. The stereotype of the greedy Jew or the violent black man doesn't present itself to us as a principle or a metaphysical concept. It comes as an example prior to our experience, a feature in our world that needs no confirmation and against which we compare our own experiences and *find the experiences wanting*. This is why Arendt emphasizes the role of prejudices in giving us our bearings in a world that pre-exists our birth.

Judgments of this sort are pre-political: they offer us entrance to a world where politics is possible. Arendt held that we ought to be most concerned when we become dependent on these false standards and import our prejudices into the political realm. There judgments as such are possible, and accuracy becomes paramount, if we are to 'suffer and condemn' (or forgive and celebrate, for that matter) the unforeseeable events that trespass on the space of appearance. In a claim that appears at odds with her

general reflections on politics, Arendt declares that the principle “task of politics” is to “shed light on and dispel prejudices.” (Arendt and Kohn 2005, 99) Certainly prejudices cannot survive in the realm of unforeseeable appearances, where every true act offers a surprise capable of shattering some previously firm judgment. In public life, prejudices hamper our freedom to act and respond.

Yet insofar as prejudices are necessary to function in social life, she seems here to be suggesting a more extensive relationship between the social and the political than she will usually allow. Indeed, the politics of judgment extends to the way in which prejudices elicit “the ready assent of others, without ever making an effort to convince them.” Thus, we can see that she is troubled by the way that racial and religious stereotypes suppress freedom by preventing some from entering the public sphere as potentially singular actors. Instead of a potential ‘who,’ an actor frozen by false crystallized judgments appears only as a ‘what.’ Building on the arguments from chapter two, that free acts require both an agent and space open to the actor’s transgression, it becomes clear that Arendt is concerned with the ways that stereotypes foreclose the plurality needed for publicity.

This helps to explain why Arendt would celebrate her own crystallized judgments of charity without shame. After her dissertation work on Augustine and her studies in the history of philosophy, the conception of charity as a trump to politics was far from new or novel to her. Her criticisms of charity were at the heart of her concerns about the rise of private life in the modern era, the growth of which she had already laid at the feet of Plato and Christianity. Auden’s reflections on charity in the Christian tradition had offered nothing to shatter her previously held views. His attempt to preserve a space of Christian *agape* just demonstrated that he had not understood her account of the role of the perversion of the private sphere in the downfall of the Roman Empire.

Though it helps us to understand her response to Auden, this description of prejudice does not fill in the unwritten volume. For that, we will need to turn to the relationship between forgiveness and judging. As we shall see, the archetypal case of judging is the decision as to whether to forgive.

Far from receiving ‘ready assent,’ Arendt’s analysis of forgiveness has been reproached from all quarters, arguable because many of Arendt’s readers are prejudiced in favor of charity and forgiveness. Her account of forgiveness has been criticized explicitly and implicitly by Jewish and Christian and theologians, secular moral philosophers, and a massive popular therapeutic literature which favors forgiveness rather than nurturing resentments. Ironically, these critics depend on an audience that recognizes the stereotype of Christian charity as an unreflective stereotype of virtue.

But before we can justify this relationship between judging and Arendt's unique conception of forgiveness, we must first understand why this original account trumps most accounts of forgiveness in the Christian tradition that purport to interpret the same words by Jesus of Nazareth. All of them owe a particular debt to Augustine's account of the role of the community and divine charity in the decision to forgive, relieving the one who undergoes harm of the responsibility or choice herself.

II. The Politics of Forgiveness

In this section, I will analyze what Arendt called her "prejudice against charity" as it relates to the decision whether to forgive a perpetrator. I will argue that this decision is the paradigmatic example of judgment for Arendt, but that this judging has been foreclosed by the belief that we have a 'duty to forgive.'

a. The Problem of Irreversibility

In *The Human Condition* Arendt staked out a position that action's novel self-disclosure comes at a price: irreversibility, "being unable to undo what one has done though one did not, and could not, have known what he was doing..." (Arendt 1958, 237) In her efforts to demonstrate that willing occurs without the determination of thinking, she presents us with an account of freedom indistinguishable from randomness. Arendt's actors 'know not what they do' until they have done it, and afterwards they observe and evaluate the consequences as if they were spectators and not agents themselves: an action worthy of the name is unforeseeable *even to oneself*.

This self-alienated reflection is so radical that it might cause some to conclude that they could no longer live with themselves when they discover the true principles of an act they had set in motion. Because action is irreversible, we become paralyzed by indecision until we discover that this irreversibility can be rectified by other irreversible acts, moving forward rather than undoing the past. To forgive is to grant permission to those with whom we share the space of appearance, our audience and fellow actors, to act again, to disclose themselves anew, despite their earlier, irreversible trespass on that space. Were it not for forgiveness, suicide would be the only solution at this point. Where we attempt to master the unpredictability of the act through promising, which offers "islands of security" within the "ocean of uncertainty" made inhospitable by freedom and futurity, forgiveness offers to redeem our past acts, to reopen a space that prior trespasses would otherwise foreclose.

Arendt wrote that "the remedy against the irreversibility and unpredictability of the process started by action does not arise out of another and possibly higher faculty, but it is one of the potentialities of action itself." (Arendt 1958, 236-7) Though forgiveness is always a responsive act, an adjunct or auxiliary

capacity to our primary mode of acting politically with regard to the fundamental constitution of our shared space, it is also the condition of possibility for any act at all. In contrast with labor, the experience of which can only be salvaged because the laborer exists within a world created by work, or with work, which creates a world of static perpetuity unless natality and action interrupt its sterility, action cannot withdraw itself or find in the contemplative faculties a predictive measure that could reign in its excesses. Thus, Arendt suggests, only a second action, an act of forgiveness, can make the inevitability of trespass sufferable.

Arendt asserts that the political function of forgiveness was discovered by 'Jesus of Nazareth,'³⁴ and mobilized by his followers in their opposition to the dominant Jewish and Roman political authorities. Thus in the midst of her account of action, Arendt launches a discussion of the innovations of heretical Christians amongst the Jewish majority: forgiveness, like the privacy of religious expression, "sprang from experiences in the small and closely knit community of [Jesus's] followers, bent on challenging the public authorities in Israel..." (Arendt 1958, 239) In reserving a public and human context for forgiveness, Arendt distinguishes her portrait of 'Jesus of Nazareth' from his successors, especially Paul and Augustine, for whom forgiveness is not a human power like the capacity to act, but a divine power that humans can only approximate. (In this sense it is like eternal judgment.) Instead, Arendt places forgiveness squarely within the miraculous human capacity to act at all: it is just as unforeseeable as the act it must forgive, and in part preserves human freedom from being relegated to an unending reaction to some initial surprising event. "[T]he act of forgiving can never be predicted; it is the only reaction that acts in an unexpected way and thus retains, though being a reaction, something of the original character of action." (Arendt 1958, 241)

Arendt celebrates forgiveness as a mundane miracle, the source of sustained plurality: "only through this constant mutual release can men remain free agents, only by constant willingness to change their minds and start again can they be trusted with so great a power as that to begin something anew." (Arendt 1958, 240) Arendt always spoke of forgiveness in this reverential style, as if revealing a mystery or patterning her words after a sermon. Quoting Matthew, she argues that Jesus thus attributes the power to forgive to men, and conditions divine forgiveness on this secular act: "if ye forgive men their trespasses, your heavenly father will also forgive you..."³⁵ Thus, she preserves her commitment to a metaphorical metaphysics rooted in the visible world: divine charity is nothing but a metaphor for quotidian human activities. It was this insistence on this phenomenological approach to what Auden took to be theological questions that he had the most difficulty accepting.

Arendt does not just draw on Christian scripture to describe the mundane miracle of forgiveness. She also illustrates it with reference to Goethe's poem, *The Sorcerer's Apprentice*. The apprentice, like the political actor, necessarily sets forces in motion that are beyond his power to control, and the sorcerer resolves the trouble with a "magic formula," without which the apprentice is unable to remedy his mistake and break the spell he let loose. Like the sorcerer's 'magic formula,' forgiveness must come from someone else, from 'the Other,' and like magic it saves us from the natural progression of cause and effect, act and consequence. Forgiveness is especially an exception to those consequences which, in the natural course of events, would haunt us forever, such that we are "confined to a single deed from which we could never recover." (Arendt 1958, 237) Forgiveness, then, is an intrinsic feature of political life: without it, the capacity to act unpredictably is too quickly expended. Yet what is most important for Arendt is that forgiveness cannot be obliged or required without losing its 'magic,' that is, its freedom. In *The Human Condition*, Arendt argues that we can only forgive what we can punish, and vice versa. Forgiveness, though underdetermined, has this precondition or limit: when you injure me, if my only alternatives are to stew resentfully or forgive, I cannot properly be said to be in the position to forgive. Forgiveness is available only as an alternative to vengeance, and is impossible where vengeance is impossible. Arendt suggests that this is because an act we cannot punish is an act outside the scope of our moral judgments or legal jurisdiction. Because the unforgiveable points to the limits of judgment, the forgiveness is thus coextensive with judgment. As we shall see, Arendt bolsters this view in her response to the criticism that her view of forgiveness is uncharitable.

b. Forgiveness as the Manifestation of the General Duty to Charity

Having been especially moved by Arendt's depiction of forgiveness, W. H. Auden wrote a glowing review of *The Human Condition* just after its publication. Auden then incorporated a critique of certain elements of Arendt's theory into an essay entitled "The Fallen City," (later renamed "The Prince's Dog") on the figure of Falstaff.³⁶ In a letter written Valentine's Day, 1960, Arendt responded to the piece, criticizing Auden's equation of forgiveness with charity in the Christian sense. Their dispute centered on this question: do we have a duty to forgive? For both writers, this could only be resolved by determining whether forgiveness is principally a public, political, and thus unpredictably free act, or ought to be reserved for matters of conscience and private relation. "Of course I am prejudiced, namely against charity," she wrote. The theory of freedom as unpredictable novelty and singular irreversibility was at stake: a duty to forgive would logically suppress the connection between forgiveness and freedom, since it would transform forgiveness from an undetermined and therefore disclosive act into a result, a

reaction to the intrinsic goodness of the wrongdoer, or some further reparations on the wrongdoer's part. Chastising Arendt for equating forgiveness with the power to punish, and thus leaving no room for personal and religious redemption, Auden suggests this is due to her overemphasis on appearances and politics as publicity.

During the exchange, three different formulations of forgiveness emerged. Arendt and Auden tested formulations of forgiveness as either (1) a public act akin to judicial pardon, (2) a private act of charity demanded by conscience, or (3) the universal amnesty granted out of divine love. Despite having brought these theological issues on herself by attributing her theory of forgiveness to 'Jesus of Nazareth,' forgiveness's first value was as a political act for Arendt. The private duty to forgive even the worst sins, taken on by some Christians, could therefore be denigrated as a kind of impairment of judgment. In contrast, Auden struggled to depict forgiveness as a spiritual exercise in modeling divine love, and thus as an ecumenical theological obligation, with all the tension that entails. Forgiveness for Auden becomes an unconditional gift which is nonetheless demanded of all Christians, just as charity, understood as 'love of the neighbor,' is a fundamental commandment. Auden thus embraces the contradiction of a supererogatory duty. In the face of this contradiction, Arendt worked to preserve a space for forgiveness as an existential necessity of the human condition, not a general amnesty but a specific and novel possibility that placed it squarely within the province of action. In so doing, she articulated a crucial relationship with judgment through the necessity of distinction, rooted not in theology but in the phenomenon of action itself.

W. H. Auden used Shakespeare's character of Falstaff as a parable for Christian *agape*, a "comic symbol for the supernatural order of Charity..." (Auden 1962, 198) Shakespeare had to confront the realm of appearances by using the dramatic medium to display something that by definition cannot appear: "on the stage... this distinction [between pardon and forgiveness] is invisible, [because] direct manifestation of charity in secular terms is... impossible." (Auden 1962, 201-2) He could only accomplish this because an *indirect* manifestation is possible: not just the disclosure of the actor behind the act, but of the divine principle at stake in secular justice. Drawing at once on Kierkegaard's theory of indirect communication and the tradition of charitable secrecy, Auden suggests Shakespeare's Falstaff as an attempt at achieving "parabolic significance," whereby "actions which are ethically immoral are made to stand as a sign for that which transcends ethics." (Auden 1962, 202) Falstaff, alone of all of Shakespeare's characters, manages to achieve this transcendence, by treating "each person, not as a cipher, but as a unique person." (Auden 1962, 204) By wholly disregarding public matters, Falstaff becomes a comic Christ, "a

God who creates a world which he continues to love although it refuses to love him in return.” (Auden 1962, 207) Forgiveness, for Auden, must be understood through the absolute asymmetry of this love, which Augustine would call *caritas*, charity. This charity is inequitable because it focuses on the singular and unique person, and it cannot appear publically without being rendered powerless or transformed into judicial fiat. Our primary access to this charity comes through forgiveness, which lets us enact a mundane version of divine love. However, in this, our spiritual duties come into conflict with our duty to justice. As Auden put it, conflict between private charity and public justice is inevitable:

“The decision to grant or refuse pardon must be governed by prudent calculation—if the wrongdoer is pardoned, he will behave better in the future than if he were punished, etc. But charity is forbidden to calculate in this way: I am required to forgive my enemy whatever the effect on him may be. [...] To love, it is an accident that the power of temporal justice should be on its side; indeed the Gospels assure us that sooner or later, they will find themselves in opposition and that love must suffer at the hands of justice.” (Auden 1962, 201)

Though Auden far preferred to side with charity against calculation, he did so bargaining on the eternal, as a Christian who counts with his soul in the balance.

This asymmetric, inequitable, and privately charitable notion of forgiveness is at odds with Arendt’s, for whom forgiveness is above all a *political act*, publicly accomplished and aimed at public wrongs. For Arendt, unforgiveability and unpunishability could best be understood as conjoined through the scandal of radical evil’s capacity to “radically destroy... the realm of human affairs and the potentialities of human power.” (Arendt 1958, 241) Where forgiveness returns the actors to their places for another scene, the unforgiveable threatens to destroy the stage upon which they act, to annihilate the public world.

c. A General Duty to Forgive?

In her letter to Auden responding to the Falstaff essay, she retracted the equation of judicial pardon and forgiveness, not in the name of a private redemption to be found through conscience and Christian charity, but through the distinction between law and politics. For her to acknowledge a private possibility of forgiveness, she would have had to recant her account of forgiving as an act requiring a plurality. Yet here she does acknowledge that forgiveness does intervene in intersubjective relations like friendship or family life. Auden’s criticisms, she said, helped her to understand that the judicial pardon is different from the Christian conception of charity, which demands that the charitable forgiver efface distinctions for the sake of the individual: “I may forgive somebody who betrayed me but I am not going

to condone betrayal ueberhaupt [‘above all’ or ‘as such’]... But charity indeed forgives ueberhaupt, it forgives betrayal in the person who betrayed -- on the ground, to be sure, of human sinfulness and its solidarity with the sinner.” (Letter from Arendt to Auden, dated 2/14/1960) A wife might forgive a husband’s philandering, for instance, but she cannot forgive philandering in principle, which is what Arendt claims that Christian charity demands: an in principle refusal to judge or punish.

Most importantly, however, Arendt reiterates the necessity of the other: the husband cannot forgive himself, because the twoness of one’s relation to oneself is insufficiently plural. Here, as in her discussion of friendship in the Lessing Prize address, Arendt suggests that family or friendship may sometimes qualify as a plurality, but insists that the philosopher’s two-in-one cannot serve.³⁷ In solitude or memoir, thought returns only the contradiction between promise and trespass, whereas a legal or theological confession offers itself to another to be judged. In the juridical setting, that other is the victim or the prosecutor; in the theological setting, it is the divine or a priestly intermediary.

Auden retreats to the general Christian obligation to charity here, and it is this general obligation upon which Arendt seizes for her disagreement when she argues that a gift given out of duty is no gift at all, but rather a debt. Offering forgiveness where none is requested is like offering an unconditional gift: Christian charity demands this, but Arendt rejects this obligatory charity. Unconditional forgiveness, like a judicial amnesty, is a refusal to judge the particulars of an act. If we were to forgo judgment in the name of equality, we would be granting that the potential sin is equivalent to its actuation, that it is equally as difficult to share the earth with a *potential* Eichmann as the actual Eichmann, that a man who *could have* committed murder is no better than one who did, or indeed, that my own actual wrongs are indistinguishable from those of another: that my trespass is transitive with the other’s crimes. Arendt argues that when we forgive out of this ‘self-reflection,’ we forgive at the expense of judgment. Such charitable forgiveness destroys the capacity to act because it treats the act with contempt, saying “Much as you tried, you could not wrong me; charity has made me invulnerable.” (2/14 letter, 1d) Arendt accused this view of impertinence, but the danger of Christian charity is much greater: to forgive indiscriminately, as a matter of course or expectation is to claim impassivity, to deny that we share the world with others whose actions interest us, bear on us, and must be judged because of it.

Auden could not accept Arendt’s claim that forgiveness is a political gift that cannot be earned or obliged, nor her corollary, that only public acts demand it. Auden struggled to articulate the justification for an obligatory gift, in much the same way that he struggled with the public and juridical consequences of an obligation to turn the other cheek. On the one hand, the Biblical commandment to

forgive seems to correspond to our moral intuition that withholding forgiveness in some instances would be petty and overly self-involved. On the other hand, this injunction against grudge-holding comes into conflict with the moral indignation and disgust we experience at certain acts we mark as evil. As an alternative to *caritas*, *agape* formed the backbone of her earliest work on Saint Augustine, and a secularized version of this 'love of the world' inevitably would have cropped up in her account of Judging, as it did in the final pages of her account of Willing.

In large part, Auden and Arendt agree on the definition of charity but disagree on its value. They both hold that it cannot appear publicly without becoming somehow uncharitable, subject to calculation. But for Arendt this structural secrecy is charity's principle offense, while for Auden it throws the ultimate value of the public realm into question. For Auden, the moments of weakness are proofs in favor of charity *ueberhaupt*: when our incapacity to punish the wrongdoer means that forgiveness is possible while judicial pardons are impossible. For Arendt, the realm of private virtue is and must be secondary to the realm of public power, because private happiness cannot salvage public impotence, but it can be parasitic or destructive of that power if it undermines its conditions of possibility. One of those conditions is freedom to act, but as we shall see, deliberative judgment is another.

d. The Unforgiveable

Rather than suggesting that there may be a realm of forgiveness and charity beyond the political sphere, she refuses to grant leave to the private religious interpretation of the works of 'Jesus of Nazareth.' Arendt returned repeatedly to the unforgiveable, always within the context of the *skandalon*, literally, the 'stumbling stone,' used figuratively in the Gospels to describe the unforgivable act, the limit of human charity vis-à-vis wrongdoing. The scandalous act is the stumbling stone to forgiveness. Jesus had admitted that some men's crimes were so evil that "it would be better for him that a millstone were hanged about his neck and he cast into the sea." (Arendt 1965, 109) The crimes of the Nazis were unforgiveable, but only because Arendt's initial account had begun with the conflation of the power to forgive with the power to punish. After Auden helped her to differentiate the two, she continued to speak of the unforgiveable, but now for a different reason: as the limit of our power to act and our power to arbitrate. For instance, in her 1965 essay "Some Questions of Moral Philosophy," she wrote that "The *skandalon* is what is not in our power to repair—by forgiving or punishment—and what therefore remains as obstacle for all further performances and doings." (Arendt 1965, 109) As when she found that Eichmann's acts foreclosed our capacity to share the world with him, Arendt asserted that

forgiveness can sometimes be stymied by an especially scandalous act. What is stymied in that moment is not simply our freedom or our power to punish, but also our judgment.

Arendt was not empowered to forgive Eichmann his crimes, nor really could she or the Israeli court fully punish them. This failure was not due to their lack of authority, their procedural obligations, or to the expectations of the watching world: neither forgiveness nor full punishment was possible because Eichmann's crimes so far exceeded our capacity to punish that the death penalty was only an afterthought, designed to remove him from the world that no reasonable human being could be expected to share with him. By acting unforgiveably, the Arendtian challenge suggests, Eichmann eliminated the judges' capacity to deliberate and act freely. All they could do was conclude that no one would want to share the earth with such a man and move to reclaim Eichmann's portion of life and earth through execution. Beyond that simple conclusion, their thoughts and deliberations on the issue of his intentions and guilt were as meaningless as their actions in executing him were impotent. His execution neither rebalances the accounts of evils inflicted nor 'sets things straight,' because we cannot judge what we cannot comprehend, and we can only comprehend Eichmann as a fool, a man who himself doesn't think, who knows not what he does. Yet since the political world now contains the permanent possibility of this incomprehensible act, it renders every other act potentially incomprehensible as well. What we stumble over in the scandal is more than just a particular tragedy or incapacity, because the statement "This should never have happened" is far too close to the conclusion that "whoever did it should never have been born." (Arendt 1965, 109) And this presents freedom as something to be escaped rather than loved.

The challenge is to give an account of deliberation, of arbitration, and of decision that subsumes them under rationally-guided human agency once again, eliminating both the idiomatic singularity and the unforeseeable novelty which she argued philosophers were perpetually overlooking. The tension, then, is clear: the philosopher's withdrawal from appearances into thought's invisibles cannot make judgment possible when it has been blocked by the *skandalon*. Neither can the actor's withdrawal from the immediacy of desires and interests render the actor predictable and allow her to properly think what she is doing and evaluate its potential consequences. Because we demand consistency when we think, but the consequences of our actions resist foresight, making judgments about forgiveness or punishment becomes a foolish risk or an impotent and meaningless gesture.

In this section, I have tried to signal the way in which the apparently incommensurable faculties of thinking and willing are joined by judging. The scandal is the limit of judgment, circumscribing the scope

of what we can judge. We cannot judge what we cannot forgive, and we cannot forgive the act that renders us impotent to act. So in grasping the limit of willing in the unforgiveable, we also grasp the limit of judging.

III. The Duty to Forgive

We are commonly understood to have a duty to forgive under certain conditions, such as when a perpetrator demonstrates remorse, but Arendt denies that this is so. This denial evolves from her argument that forgiveness is an act of natality, an unforeseeable act of freedom that cannot be obligated or calculated. In turn, Arendt's rejection of Auden's politicization of religious charity vis-à-vis forgiveness suggests that the widespread agreement on the duty to forgive is based on concretized false judgments, a stereotype about forgiveness that can only be dispelled by judging anew. Arendt's thinking on forgiveness is perhaps the closest she comes to published work on her own theory of moral judgment.

Arendt deals with forgiveness in the same way that she does revolution. A duty to forgive, like a duty to revolt, would subsume such decisions to a calculation, a computation or tallying of factors. Forgiveness is among the possible *reactions* to an unjust act, just as revolution is a possible reaction to an unjust law. Both are novel and unpredictable responses that interrupt the predictable flow of events. Both must resist probabilistic prediction if they are to achieve their goal rather than reproduce the initial transgression or unjust regime. While both are a reaction that surprises us with its refusal to complete the chain through retribution or resentment, it would be inappropriate to think of them as merely random. As a reaction, neither an act of forgiveness nor an act of revolution can afford to exclude the act or transgression to which it responds. Such an exclusion is either analogous to, or actually is a *refusal to judge*.³⁸

a. Kant's Duty to Forgive

It remains to be seen whether traditional understanding of the duty to forgive functions to either suppress or short-circuit this contemplative. Accounts of the duty to forgive depend upon either the self-contradiction entailed by refusing to forgive when we have reasons to fear that we will someday require the forgiveness that our trespasser requests of us. Such arguments suggest that it would be inconsistent to seek forgiveness while having denied it to another. Kant's account is typical in this regard, providing a fairly standard general account of the moral and theological basis for this duty:

“The sweetest form of malice is the desire for revenge. [...] It is, therefore, a duty of virtue not only to refrain from repaying another’s enmity with hatred out of mere revenge but also not even to call upon the judge of the world for vengeance, partly because a human being has enough guilt of his own to be greatly in need of pardon and partly, and indeed especially, because no punishment, no matter from whom it comes, may be inflicted out of hatred. – It is therefore a duty of human beings to be forgiving.” (Kant 1996, 207-8)

Here Kant identifies the primary strands of the moral obligation to forgive. Since we can expect to someday be in need of forgiveness, the calculation of practical reason resembles that of the rich man’s duty of rescue or charity: though he is not presently in need of the service, it is a universalizable maxim that extends from the uncertainty of the future. Yet for Arendt, forgiveness can never be offered contingent on the promise to reciprocate, precisely because such reciprocation ignores the question of proportionality.

Kant also holds that punishment must be grounded in the good of the punished individual and the needs of the community, insofar as our duty to leave the state of nature entails a duty to support the punishment for infractions of the social contract, even when this means willing one’s own punishment. It cannot be rooted in malice or resentment, else it is indistinguishable from revenge and unlikely to be autonomous or respectful of the dignity due to the punished. For Arendt, this Kantian inspection of the judge’s motives is just another effort to peer behind the mask of political actors, there to find the basis for a charge of hypocrisy. The issue with judicial pardons is that, barring procedural misapplication, they can only be grounded in irrelevant details of a conviction. The judge’s feelings of vengeance or of lenience must both be ignored as much by onlookers as by the judge herself, but as a result, we can only judge her ruling and sentence insofar as they manifest a commitment to equality or evince a plea to exceptionalism. What matters to Arendt is what the actors do and say, not what may motivate them to do so. Within the juridical realm, law demands punishment for transgressions, and a pardon is self-evidently biased insofar as it treats one transgressor or class of transgressions differently than others.

b. Forgiveness in South Africa: Political or Theological?

While the Kantian account is perhaps the classic Enlightenment description of the duty to forgive, it is derived from the Christian tradition on forgiveness that goes back to Augustine. One modern example of this tradition is Desmond Tutu, whose work on South Africa’s Truth and Reconciliation Commission combines theological reasoning with a strategic politics translated into the discourse of self-help and therapeutic psychology, all in order to justify a duty to forgive:

*“The onus is on each single South African ... it is incumbent on every South African to make his or her contribution. Without being melodramatic, it is not too much to claim that it is a matter of life and death. On its success does hinge the continued existence, the survival, of our nation.... It is ultimately in our best interest that we become forgiving, repentant, reconciling, and reconciled people because without forgiveness, **without reconciliation, we have no future.**” (Tutu 1999, 165)*

What Tutu writes here is true, at least as a hypothetical imperative or as a pragmatic political analysis of the political necessities of post-apartheid South Africa. If there was to be a future for South Africa, given the difficulties in punishing the criminality of Afrikaners that it faced post-apartheid, then forgiveness was obligatory both legally and individually. The process of fact-finding and official pardons for past violence in a new republic was thus required for ‘the survival of the nation.’ But Tutu offers this pragmatic analysis alongside his theology: “Theology said they still, despite the awfulness of their deeds, remained children of God with the capacity to repent, to be able to change.” (Tutu 1999, 83) He goes on to explain that this recognition of a fellow creature of God’s creation demands that we model God’s unconditional love through forgiveness:

God does not give up on anyone, for God loved us from all eternity, God loves us now and God will always love us, all of us good and bad, forever and ever. His love will not let us go for God’s love for us, all of us, good and bad, is unchanging, is unchangeable. Someone has said there is nothing I can do to make God love me more, for God loves perfectly already. And wonderfully, there is nothing I can do to make God love me less. [...] Those who think this opens the door for moral laxity have obviously never been in love, for love is much more demanding than law. (Tutu 1999, 85)

As Arendt’s arguments to Auden show, Tutu forecloses the possibility of deliberative judgment by conflating the strategies of a fledgling government with the demands of divine love. Who can argue with God’s alleged example?³⁹ The problem with the hyperbolically poetic accounts of the gratuitous good of the forgiver is the same that troubled Arendt in the hyperbolically gratuitous evil attributed to the perpetrators of the Holocaust. In both cases, the hyperbolic rhetoric disguises a refusal to understand, a refusal to judge. The South Africans were forced by circumstances to decline prosecution through systematic pardons, but it is deceptive (perhaps self-deceptive) to describe this *nolle prosequi* in theological terms. The question that faced the Truth and Reconciliation Commission was not “whether to forgive,” it was “whether to punish,” but Tutu’s rhetoric disguises that fact. Arendt’s theory of

punishment can be applied equally well to this novel application. When she rejected vengeful justifications for the execution of Eichmann, it was in favor of declining to share the world with him. Black South Africans were obligated to share the world with their oppressors, and this requirement dictated the pardons.

Normally, the principle of equality requires the judge or jury to apply similar punishments to similar cases. The likeness or dissimilitude between cases is the product of an imaginative judgment using the much vaunted common sense. However, Arendt noted that the question of personal or political forgiveness cannot be arrived at through the same universally-acceptable calculation. To subsume these questions under the juridical practice would suppress the unforeseeable nature of action, and forgiveness must be, in this sense, more an act than a thought.

c. Margalit on Forgiving and Forgetting

Avishai Margalit offers a different justification for the duty to forgive. The obligation to forgive the other's crimes for one's own sake "stems from not wanting to live with feelings of resentment and the desire for revenge." (Margalit 2002, 207) Where Kant holds that we owe it to ourselves as rational beings to be free from the pathological heteronomy of malice, Margalit associates this obligation to forgive with the obligation to preserve one's own health: to fail to forgive is to imbibe "poisonous attitudes and states of mind." (Margalit 2002, 207) In either case, the obligation to forgive is a special case of self-preservation and self-care.

Margalit wants to preserve the role of regret and to distinguish forgiveness from forgetting. Because his principle concern is memory and the obligation to remember past transgressions, Margalit argues that we need to find a way to deal with past transgressions in a way that does not completely blot out their memory. As a religious practice, forgiveness models the divine absolution between the Creator and his creation and so requires two actors: the penitent, who remorsefully reports her crimes to the priest or to his Creator who already knows them, and the confessor, who judges her contrition and offers penance and the absolution of her sins. He agrees with Arendt that forgiveness is the mundane miracle by which the past is "undone." However, Margalit disagrees with Arendt on the "undoer." He follows Arendt in arguing that forgiveness is a method for dealing with the irrevocable past: "remorse offers us a nonmagical way of undoing the past." He deviates from Arendt in claiming that it is the *transgressor's* act of remorse that 'covers up' her crimes. In undoing his past acts, the remorseful transgressor not only makes himself worthy of forgiveness, but obligates his victim. Quoting Maimonides, he chides us that "it is forbidden to be obdurate and not allow oneself to be appeased." (Margalit 2002, 194) But in

converting the religious vocabulary of divine prohibition into a humanist dialect of ordinary duties and rights, he preserves the claim that forgiveness is a duty rather than supererogatory.

Focusing on the root 'give,' Margalit articulates the problem of an obligatory gift, but, pointing to the work of early anthropologists, concludes that some gifts are "intended to form or strengthen social ties between the original giver and the one who returns the gift." (Margalit 2002, 195) On this reading, the original giver is the transgressor, who offers his remorse. Where Arendt offers a simple, secular alternative requiring only the free act of the victim of transgression, Margalit argues that there is an independent justification in the obligations that extend from charity.

"I am claiming that the obligation to forgive, to the extent that such an obligation exists, is like the obligation not to reject a gift—an obligation not to reject the expression of remorse and the plea for forgiveness."(Margalit 2002, 196)

To refuse to forgive is to refuse a gift, not an exorbitant gift, but an ordinary one, as when gifts are exchanged in what eventually appears as an economic transaction similar to any other commercial deal. The victim is obligated to respond in kind by granting forgiveness, in the name of "social ties." Compare this to Arendt's judgment of Eichmann: that no one, not even she, could be asked to "share the world" with him. The forgiver must exclude the forgiven act from all future judgments of her transgressor. The transgressor's remorse covers over the past, but it still falls to the forgiver to resist peaking underneath the cover of forgiveness.⁴⁰

In contrast, Arendt obstinately fosters the belief that a pure gift is possible. To forgive in expectation of forgiveness is like giving a gift in expectation of the return of a gift of equal or greater value. It is the economy of the gift, the obligatory mutuality of this "mutual release," that troubles Arendt when she encounters it in Auden's letter. If forgiveness is to retain its capacity to begin anew, it cannot be subjected to this sort of calculation. Because of this, the adjudication of the truth or falsehood of judgments about forgiveness will again test Arendt's claims about the incalculability of action, even though Arendt is careful to distinguish private forgiveness from judicial pardon.

d. Derrida's Aporia of Forgiveness

Margalit's account mirrors that of another recent theorist of forgiveness, Jacques Derrida, who pushes this tension into a now-famous paradox to the debates on deliberation based on a similar paradox in the gift. (Bernstein 2006, Derrida, et al. 2001) Derrida juxtaposes obligatory forgiveness with what he calls impossible forgiveness. On the one hand, there are acts of forgiveness required by the regular and

ordinary relations of friends or fellow citizens. We ask and expect forgiveness for lateness or when we brush past someone in a crowded space. To refuse to forgive in those situations appears as a provocation or an attack. When strangers deny each other this petty reconciliation, they are declaring hostility. When friends refuse to make allowance for each others' foibles, they effectively dissolve the friendship. Insofar as we wish to avoid hostilities or preserve the friendship, we are obliged to trade remorse for this ordinary and expected gift of forgiveness. As such, ordinary reconciliation is hardly real forgiveness, just as an exchange of equally valuable goods isn't really giving.

On the other hand, there is forgiveness that Derrida labels "impossible." This is the *skandalon*, the unforgivable act over which our efforts to forgive not only stumble but are absolutely incapable of making headway. Systematic injustices, massacres, torture, and acts of genocide all present themselves to us as candidates for forgiveness, but Derrida argues that these acts are not really within our jurisdiction to forgive. Either because we cannot represent the dead victims or because the act itself is too unimaginably atrocious that it resists our efforts even to understand or the criminal's efforts to encompass in meaningful remorse, forgiveness in these situations is impossible.

For Derrida, this is an *aporia*: forgiveness is impossible, because it is required when we face an unforgivable transgression. Anything less than the unforgivable need not be forgiven, since such negligible acts can be simply reconciled, overlooked, or embraced as peccadilloes if friendship is to be possible at all. However, Derrida's description depends on there being a duty to forgive in some instances. Since I *must* forgive minor transgressions, the only test of forgiveness are precisely those acts that are beyond my capacity to forgive. In contrast, Arendt's writing on forgiveness cuts the cord of this paradox quickly and neatly. If forgiveness is always optional, even in those instances where it seems customary, then it can never be obligated and thus negated in our quotidian transactions with others, and it is always available to us as either a private act of charity or a legal pardon, even in the face the *Shoah*.

The limit is not *within* forgiveness or our power of willing, but rather simply in imagining that act that we will forgive. Thus the *skandalon* of forgiveness is an imaginative challenge, and Arendt has already explained how such failures of imagination can be conquered. We have to *make* the world in which such acts are imaginable in order to forgive them. We retreat from the appearance of the atrocity to the invisible, their meaning, and then we make them meaningful for others through *poiesis*: we create a world of meaning in which they are imaginable by making exemplars and spaces of remembrance. The product of our work makes these meaningless deaths and thought-defying atrocities meaningful and

thinkable. Unfortunately, as Arendt worries whenever she discusses totalitarianism and genocide, even as we attempt to make genocide imaginable and forgiveable, we are also creating a world in which its repetition is imaginable. This is the tragic core of her insight into action: that deeds are doable long before they can be understood or judged.

On Arendt's account, the act of forgiveness releases another from responsibility for his act, manifesting a quotidian human capacity for beginning anew. She distinguishes this from the metaphysical sophistication of a human manifestation of divine charity. This suggests that the popular accounts of forgiveness, including those derived from the secular clinical therapeutic tradition, are grounded on the Christian commitment to charity.

Based on Arendt's insistence that every metaphysics is just a systematic metaphoric, these others accounts must misapply the metaphor first "discovered" by the progenitor of the Christian metaphysical tradition. The act of forgiveness advanced by Jesus of Nazareth, which Arendt touts as political, is nonetheless reserved for our transgressions that are neither criminal nor simply parliamentary. Attempts to excavate Arendt's concept of judgment, as exemplified by forgiveness, thus force us to pursue the origins of her divergence from the tradition of Christian charity upon which the prejudice in favor of the duty to forgive is founded.

IV. When *not* to Forgive: Lessons from the Donatists

In this section, I will address the relevance of the Donatists for understanding Arendt's prejudice against charity, and show how judging might be of use in determining when to forgive, and more importantly, when *not* to forgive. I hope to demonstrate that, for Arendt, judging requires both the adoption of the perspective of others in our community *and* the artificial suppression of humanity's plural character, and in this way it is unlike thinking or willing which retreat or thrive on the space of appearances. As I will argue, the final volume of *The Life of the Mind* would have supplied both an analysis of judging's specific function and an attempt to resituate this aspect of the *vita contemplativa* within the plural public world from which contemplation retreats.

Given what it says about the voluntariness of community and the ungeneralizability of membership in the *sensus communis*, I believe that Arendt's idiosyncratic view of forgiveness serves as the center of a constellation of arguments and ideas that together outline a theory of judging. It is the judge that decides whether a transgression has occurred, and it is the judge that determines whether a transgressor must be temporarily or permanently removed from our shared world. Analogously, we use

judgment to evaluate those activities that appear to us both to attribute praise and blame for prior acts and in anticipation of the unforeseeable effects. I will argue that judging *whether* to forgive a transgression is the contemplative function that delimits our shared world. When we decide who we will forgive, we decide with whom we will share the world. Just as thinking delimits the scope of our meaningful world, judging delimits the scope of plurality. In a sense, judging is the faculty with which we distinguish sustainable pluralism from intolerable strife. Judging both requires like-mindedness and enforces it. In order to make the connection between the solitary act of judging and the necessity of *homonoia*, I will use an historical example, that of Augustine's debate with the Donatist heretics of Northern Africa. Arendt never directly addressed this debate, but it serves to illustrate the necessity of like-mindedness for deliberative judgment and to ground the connection between judging and forgiving that Arendt sometimes declared without explanation.

Though many political theorists see a useful echo of contractualism in her account of the political act of promising, her account of forgiveness is frequently ignored or denounced by those who wish to regulate forgiveness according to moral laws or a theory of justice. As always, Arendt resists the philosophical tyranny of obligatory forgiveness in the name of politics. For her, promising and forgiving are unique and balancing demands of political life. Without promising, we cannot confront the unforeseeable future; without forgiveness, we cannot escape the irreversible past. Arendt defends a view of forgiveness as undetermined and optional.

My use of an example exogenous to Arendt's work, drawn from the conflicts among early Christians over the authority of the Roman church's claim to "Catholicism" (i.e. universal communion with and authority over all Christians), will serve to illustrate the value of her dissertation for understanding the likely direction of the final volume. The Donatist controversy exemplifies the tension between situated values and global consensus-seeking in the resistance of local North African congregations to the newfound solidarity between Roman imperial domination and theological authority. This tension continues to plague political philosophers and often appears at the edges of Arendt's thinking: whether she would have covered this ground explicitly, I believe that it supplies an insight into Augustine's political theory, a topic she began to address in "Willing" and planned to take up again in "Judging."

As I have argued, Arendt rejected the obligation to forgive because it undermines judging. If we have neither a categorical nor a conditional duty, then deciding when to forgive, and when not to forgive, is not a calculation or a random act, but the product of this mysterious faculty of judgment. Yet here,

Arendt gives us little guidance: she does not tell us what we should do or how we will know when to forgive. The lacuna is unfilled.

Throughout the fourth century, North Africa was the center of intense theological debates about the scope and doctrines of Christianity. These arguments were not simply abstract: partisans for both sides clashed violently. One particular group that gained particular notoriety was a movement that called itself the Agonistici, “warriors for God.” They are depicted by non-Catholic historians as a part of a larger egalitarian social movement bent on harassing landlords who oppressed North African peasants and engaging in redistributive banditry. However, they were dubbed “Circumcellions” by the Catholic Church “because they roved about among the peasants, living on those they sought to indoctrinate.” (Chapman 1911, "Agonistici") After they were suppressed, the group was accused of terrorism against property-owners and nobility in the region, and of initiating violence designed to lead to martyrdom. The *Catholic Encyclopedia* offers one famous account of their behavior:

A number of these fanatics, fattened like pheasants, met a young man and offered him a drawn sword to smite them with, threatening to murder him if he refused. He pretended to fear that when he had killed a few, the rest might change their minds and avenge the deaths of their fellows; and he insisted that they must all be bound. They agreed to this; when they were defenceless, the young man gave each of them a beating and went his way. (Chapman 1911, "Donatism")

As depicted by the Catholics, the Agonistici were an early variety of suicide attackers, seeking martyrdom by provoking others or simply by throwing themselves into the sea. Yet many Protestant Christians have attempted to salvage the image of the Circumcellions as a social justice movement opposed to imperial economic domination and control of matters of conscience.⁴¹ Because few records survive other than the arguments of the partisans, which carry what appears to be propagandistic rhetoric, there is little evidence or contemporary source material upon which to base our estimation of the movement.

The Agnostici were members of what has come to be known as the Donatist sect, which originated from a schismatic response to religious persecution under the Romans. At the start of the fourth century, Christians throughout the Roman Empire were persecuted under edicts demanding that their churches be destroyed, their sacred texts burnt, and their clergy forced to renounce the faith or face death. Though this persecution lasted only two years, from 303 to 305 CE, it left Christians in North African congregations in disarray, as some who had given their scriptures to the Roman officials to be burnt

were declared *surrenderers*, literally traitors, '*traditor*' from the Latin *transditio*, "to give over." Those who refused to give up their copies of the sacred scriptures risked martyrdom, and many were. When the surrenderers returned to their churches after the persecutions ceased, those who refused to recant expressed their disappointment in their fellows' betrayal by excommunicating them: "Even to alter a single letter of the Scriptures was a crime, but contemptuously to destroy the whole at the command of pagan magistrates was to merit eternal punishment in Hell." (Frend 2000, 10) As Roman rule shifted from persecution to patronage for Church officials under Constantine, the incentives for challenging the legitimacy of a potential nominee's credentials grew.

However, this issue came to a head eight years later when Pope Miltiades declared that Donatus of Cassae Nigrae was guilty of schism for rebaptizing lapsed clergy.⁴² The theological dispute has been framed since then in terms of the distinction of office and officer: the Catholics held that even a corrupt or sinful officer can perform the duties of his office legitimately if the formal conditions of ordination are met, while Donatus seemed to believe that a clergyman's baptism could only be authoritative if it was performed by an officer whose own "credentials" were in order, which was not the case for clergy baptized by the excommunicated traitors. Put another way, the Donatists agreed that a schism had occurred, but believed it existed between those whose loyalty to the Roman Empire trumped their participation in the Christian communion. They refused to forgive their fellows for this choice and this doctrinal division became the basis for a generalized opposition to Roman authority projected across the Mediterranean through military, economic, and theological domination.

North African Christians of the time faced a series of interrelated conflicts between the congregations at Numidia and Carthage, among secular authorities loyal to Rome and those who sought political and economic independence, and among the *traditores* and fanatical rigorists who had opted for martyrdom but survived the persecutions. Rigorism and fanaticism were especially popular among the poor, for whom the promise of a blessed afterlife was especially tempting in the face of imperial economic domination. Provincial rivalry between city and country, anti-imperial fervor, and class-based religious zealotry combined to create a schism in which the clergy of Carthage unfairly elected a Primate of Africa without the participation of the Numidian clergy or the support of the Carthaginian people. Enraged by what they perceived as a power grab, the Numidians went to Carthage and challenged the election with the support of the Carthaginian poor. The Carthaginian choice, Caecilian, had been consecrated by three bishops, and one of these bishops, Felix of Apthungi, was accused of surrendering, of betraying the faith, and though he was declared innocent in 315, the damage was done.

Since the Primate controlled the Church's wealth in North Africa, there were obvious political and economic motivations for this theological challenge. The Donatists maintained that lapses like surrendering the scriptures required penance and forgiveness before a *traditor* could rejoin the Church: "unfruitful branches are to be cut off and cast aside... unless they are reconciled through penance with wailing acknowledgment [of their fault.]" (Frend 2000, 20) This is the charitable version of the doctrine, since the more radical members of the sect suggested that penance would be achieved when they were able to "break Caecilian's head." (Frend 2000, 19) They further held that it was the martyrs who must absolve and readmit the traitor, that forgiveness was theirs to give, not the sinner's to earn. Thus, by consecrating Caecilian without first having been absolved, he accepted communion with someone who did not deserve it. Though he may not have known Felix of Apthungi's failings at the time of the consecration, the Donatists held that on learning of them he ought to have denounced Felix and moved to seek a valid sacrament of consecration with the approval of the Numidian bishops.

Though this argument was self-serving, it was also consistent with African practice, which preferred rebaptism as a symbolic and actual penance, and emphasized a rigorous definition of the community of believers that shunned sinners and lapses. Though they were at odds with the Pope in Rome, the rigorist followers of Donatus, who refused to be in communion with anyone who did not denounce the traitors, quickly grew to be a majority. When Augustine of Hippo became the Roman Church's public face in opposition to this doctrine a century later, his success in the ecclesiastical court was not matched in public opinion. Donatism remained the preferred blend of Christianity in North Africa until the eighth century, when Donatist Christianity largely gave way to Islam.

The theological issues at the heart of the Donatist controversy are the Christian sacraments of baptism and communion, but there is a dispute about forgiveness and community underlying these doctrinal matters, with implications for judgment. The budding imperial hopes of Roman Catholicism under Constantine claimed the power to unite all human beings under a single ecclesiastical authority, where agreement on the divinity of Christ could ground a transnational political authority. Ultimately, even these basic agreements were insufficient for suppressing intercommunity rivalry or the daily indignities of class and their attendant resentments, which arose in complex procedural and doctrinal differentiation which became the basis for principled disagreements and righteous violence.

In offering this remote historical case study, I hope to illuminate several aspects of Arendt's work. First, it will help to explain her concerns about the role of private religiosity in public life. Arendt spoke of herself as being 'prejudiced' against charity and so her specifically Christian conception of charity will

serve as an object lesson in judgment through its relationship to pre-judgment. Second, it will show that any account of deliberative judgment must encompass, on the one hand, substantive policy questions and issues of justice, and on the other, the procedural questions that determine the scope of the appropriate deliberative community and who counts as a member. Finally, Arendt's dissertation on Augustine, exemplifying as it does a seminal turn away from theology, will elucidate the role phenomenological conceptions of world serve for her account of the faculty of judgment, as she still depends primarily on the Augustine-derived account of "love of the world" for the prejudice that grounds and enables her conception of the *vita activa* and of political life. By creating a direct relationship between the function of judging and an *amor mundi* grounded in phenomenological invariants, Arendt appears to have been seeking an acceptable basis for *homonioia* within a secular and plural polity.

However, it is here that the Donatist controversy becomes more than a historical example. Augustine's North African theological opponents *also* rejected his defense of the public and political implications of Christian charity. Their *skandalon* was symbolic: the original *traditors* were only guilty of 'rendering unto Cesear what is God's.' They felt no obligation to forgive those who betrayed them, even though the original treason was a century old, but their refusal to forgive became the basis for a community organized primarily in resistance to imperial and economic domination. They became fixated on their grievances, adopting what has become known as a chosen trauma: "a large group's unconsciously defining its identity by the transgenerational transmission of injured selves infused with the memory of the ancestor's trauma." (Volkan 1998, 48) In most chosen traumas, forgetting the grievance or forgoing identification with it would be sufficient to dissolve the bonds of the community. Certainly the Church fathers of Carthage cannot have forgotten that the Roman Empire had destroyed the city during the Punic Wars, but it was religious persecution that the North African congregations chose to protest.

In his 417 CE letter to Boniface on the controversy, Augustine reminds his readers why schism is sin: "An enemy of unity cannot share in God-given charity." (Augustine 2001, 203) To have worked through the phenomenology of desire that leads to *caritas* is to have accepted that all humans share both an essence as sinners who must turn towards God and an origin as God's creatures who inhabit a world that they have not created but that they must make habitable through love. Though that essence apparently points us away from each other and into isolation, it is, on Arendt's reading of Augustine, coterminous with our shared origin, which points us towards each other and the world we must create and maintain in order to love each other. To refuse communion with another would-be-Christian is thus

to refuse to share the world with him or her, to refuse the shared origin and thus to demonstrate that one has misunderstood the results of the phenomenology of desire. The evidence for *caritas* is to be found in our every gluttonous thought and urge for those willing to follow them to their conclusion, and only willful blindness could allow the Donatists to accept so much of Christian doctrine while refusing to see the principle of charity upon which it is based.

What responses did the Donatists offer to this logic? The arguments to which we observe Augustine respond are twofold: first, that a sinner must be forgiven and rebaptised before re-entering communion with his fellows Christians, and second, that the occupants of an office can tar that office if they are not exemplary officeholders. This second argument has come to be known more broadly because it encapsulates a legal principle: that the acts of an office are not tainted by the acts of the officeholder, because, in the Church at least, the office gains its authority from God and all human officeholders are likely sinners. The same thing goes for authority granted by a political constitution but granted to fallible and corrupt men. As Maureen Tilley explains, “The Donatists saw the Church not so much as a hypostatized institution, as Augustine did, but as the people who professed Christianity.” (Tilley 1991, 14)

Yet the Donatists had a third argument which the Catholics, including Augustine, refused to address head-on: that “the right to use the appellation ‘Catholic’ was a central issue of the Conference.” (Tilley 1991, 12) They could agree that schism is a sin while preserving their position if only they could show that it was the Roman Church which was in schism with North Africa, and not vice versa. By associating themselves with the same empire that had previously oppressed them, the Catholics had ceded their claim to be the universal representatives of the Church of Jesus Christ. Until they were forgiven by the Donatists, they could not claim to be representatives of the true Church. While the Donatists couched their concerns in terms of the specific doctrines of baptism and personhood upon which the conference at Carthage dwelled, because they and the Catholics both came to the conference as litigants, not interlocutors. Or, as Tilley describes the rhetorical contestation, they both sought to depict themselves as the defendant: “For these people being the true Church meant being the persecuted church. Therefore it would be unthinkable for them to make the first accusation.” (Tilley 1991, 12)

As the debate evolved, Augustine would repeatedly assert that this question could be ignored in favor of the distinction between office and office-holder or in the distinction between confession and baptism. But in making this argument, he was effectively arguing that the Church was a political institution, with authority over both the souls and the lives of its congregants. In contrast, the Donatists argued that the

Church is constituted by its members and has no independent life, and vice versa: that believers could not sustain their faith in isolation for their communion. As a result, the personal holiness of an individual is not purely the product of his or her own will, but rather dependent on his origins and the company he keeps. Throughout the dispute, the Donatists attempted to identify the lineage of each of their interlocutors, including Augustine, and show that they had been baptized or ordained by *traditors*. Though Augustine treats their arguments as legalistic hairsplitting, and responds in kind by seeking contradictions and resisting charitable interpretation, the Donatists did have a point beyond their idiosyncratic concerns around rebaptism and the equation of office and office holder.

“In a legal context the examination of the persona would judge the fitness of the person to execute a contract or to appear in court in whatever capacity. In a religious sense, person indicated the moral character of an individual. Petilian exposed the double nature of the concept and its implications in an unequivocal manner. Bishops might gather to discuss a theological issue, but Christians, he said, do not go to civil court with one another. He demanded a resolution of the problem. The very option of resorting to civil law, especially on a religious matter, by any so-called Christian participant appeared in Petilian's eyes as an abdication of the claim to be a Christian.”(Tilley 1991, 17)

By seeking to enforce the authority of Rome, the Catholics were already sacrificing their authority as Catholics, i.e. as representatives of the true and universal Church. But Augustine's response grants this, and this is why the dispute is not treated as a lawsuit but as a conference between fellow Bishops: rather than addressing the particularities of a criminal accusation, the interlocutors were to devote themselves to matters of doctrine and theology. Yet this was hardly a victory for the Donatists, because much of their claim to being the true Church depended on the particular acts of religious oppression that they had yet to forgive, by which they laid claim to the notion that that the Roman Church could not really be in communion with them as equal discussants regarding matters of faith until they were forgiven by those they had been trespassed against. They preferred to have the abstract debate about the nature of the Church and the sacraments within the context of historical acts. In forcing them to choose between specific acts and ecclesiological principles, Augustine put his rhetorical and legal skills to the task of misunderstanding the Donatists' concerns. Thus the Donatists complaints are treated as irrational, self-contradictory, or unintelligible, rather than as candidates for belief and affirmation. For Augustine, this uncharitable reading was in the name of the larger charity of unity. But in taking up that

cause in the name of the Roman Catholic Church, he was never able to fully consider the question of which Church was “true,” of which Church had split from the other.

Augustine’s response seeks to enforce the duty to forgive. But he acted to advance the purposes of a political institution, not an onto-theo-logical affect of *caritas*. In this, he was helping to develop a model for the Church that could be both grounded in charity and granted a monopoly on legitimate violence, “because it was right that people should be forced to come to the banquet of everlasting security once the church was strong and sturdy in members....” (Augustine 2001, 158) Though Arendt never explicitly considered Augustine’s conduct during the conference at Carthage, it seems she might have found his conduct wanting. Indeed, his failure is, at root, the failure to mobilize the ‘incongruities’ between human beings conceived simultaneously as isolated mortals worldlessly focused on Being and neighborly creatures dwelling in a world they must make habitable.

The Donatists judged that reunion with the Catholics would entail a new domination by the crumbling Roman Empire. They refused to forgive, refused to share authority and a political world with Roman agents who claimed to want only peace but had historically engaged in political domination in the region. The question that Augustine’s letters present is this: could they forgo ‘sharing authority’ while preserving the charitable affect of dwelling in a shared world? Generally speaking charity does not demand agreement or the fusion of horizons, certainly not in the face of an unforgiveable scandal.

When, then, ought we to forgo forgiveness? When forgiveness comes at the expense of *homonoia*, of the like-mindedness required for deliberative judgment. This is exactly the situation which confronted the Donatists. They did not oppose authority as such or unity as such: they merely hoped to control conditions under which authority or unity could be granted. They argued, and fought, to preserve a distinct and isonomic political community, in which matters of theology could be resolved by like-minded community members. They did not reject *caritas* by seeking to preserve their theological and political segregation, but they did seek to preserve theological pluralism even at the expense of a greater *sensus communis* between Carthage and Rome.

Arendt argues that judgment requires some withdrawal from perspective, some artificial suppression of pluralism through the embrace and enforcement of a “common sense” or *homonoia*. I believe the best explanation for this is that judging as withdrawal from personal perspective is predicated on loving the world, whose perspective we take when we abandon our own. In dialogue, we fashion a shared world with those who share our tradition, and we begin the process that will eventually be narrated as a shared history. Instead of a “view from nowhere” deliberative judging is the adoption of the plurality’s

viewpoint, but that plurality is necessarily exclusive. The account of judging that would have emerged from an extension of Arendt's reading of Augustine on the 'love of the world,' would be one which preserved this tension between *homonoiā* and the enlarged mentality. Maximal tolerance still entails the intolerance of intolerance, and even Rawlsian pluralism excludes the irrational. Moreover, tolerance itself is not enough: the condition of world-sharing demands that we act and judge together. The love of the world becomes a love of the tradition, of the history that brings us to this moment and that authorizes us to work together. A shared history like that between Carthage and Rome could not be mediated by agents of Rome unless that agent was willing to charitably embrace the perspective that demanded division.

Conclusion

Taming the Desert

Believing with you that religion is a matter which lies solely between man & his god, that he owes account to none other for his faith or his worship, that the legitimate powers of government reach actions only, and not opinions, I contemplate with sovereign reverence that act of the whole American people which declared that their legislature should make no law respecting an establishment of religion, or prohibiting the free exercise thereof, thus building a wall of separation between church and state. (Letter from Thomas Jefferson to the Danbury Baptist Association, dated January 1, 1802)

The lessons of the Donatists echo Arendt's concerns with the bureaucrats who act from behind a desk and thus, Arendt worried, escape accountability echo. The desire for likeminded segregation and the scale of governance in the modern world that requires so large an administrative state are closely related. What communities of like-minded actors supply, the bureaucratic state removes: a human-scale space of appearance where citizens can encounter each other as individuated and unpredictable actors. It is appropriate to view Arendt's work as both scholarly inquiry and advocacy, an attempt to understand the contemporary challenges of the human condition and to encourage us to preserve this space, because of the unforeseeable dangers of a world where our destructive power is greater than our deliberative power.

Arendt would have turned to her 'aesthetic' account of judging because the love of the world is a prerequisite for that deliberative capacity. Insofar as the Augustinian phenomenology of desire leads us to that disposition, thinking does serve as a prerequisite for judging. But already in Augustine, Arendt noted that the philosopher's tension between thinking and acting had not been resolved. In *caritas*, Augustine still sought to assert the primacy of the invisible world over that of appearances and plurality. Thus Arendt's objection to Christian charity lies in its flight into seclusion, its demand, shared with the Greek Academicians, for a freedom *from* politics. Unlike Academicians and philosophers, whose retreat from politics was also a retreat from the active life, Christianity's rejection of the politics of the Roman Empire was not in the name of withdrawal *into* contemplation, but rather on the creation of alternate political spaces whose politicization was self-effacing. It "went hand in hand with the founding of a new

space set apart from the existent political space, where the faithful came together first as a congregation and then as a church.” (Arendt 2005, 136) In short, Christians did not just flee into seclusion, they brought plurality and appearance with them. As a result, Arendt argues, the needs of private religious experiences overpowered and foreclosed the space of public appearance.

In *The Human Condition*, Arendt described this flight from the world as a response to the destruction of the world itself. Early Christians sought “to find a bond between people strong enough to replace the world” because the Roman Empire had violently undermined their pre-existing basis of public appearance and collective action. In choosing charity to cement their relations, Christians rendered all men brothers and the church a family, substituting an expanded conception of the household for politics. However, where the Greek household was dominated by a patriarch who secured his freedom from necessity through violence (the enslavement of laborers), and who cemented the family’s subordination to his needs through affective connection (love, loyalty, and familial duty), the Church placed God the Father in the patriarch’s place and cemented its members connections by cultivating the affects of care and fidelity. Unlike the Roman patrician or the Greek citizen, the family of the Church is headed by a patron who does not enslave us in order to achieve his freedom. Instead, Christianity demands that we free ourselves from our own dependence on the things of the flesh and from the world that grants meaning to otherwise merely material subsistence: “the bond of charity between people... is quite adequate to the main Christian principle of worldlessness and is admirably fit to carry a group of essentially worldless people through the world...”(Arendt 1958, 53) By suggesting that the Church produces connections without worldliness, Arendt is both playing on the ‘otherworldly’ nature of the bonds of faith and identifying a temptation towards quietism that Christian doctrine originally encourages, in which Christians are cast adrift in the desert of mundane existence and await salvation in death.

Arendt’s fundamental concern is that all attempts to found a space of freedom in retreat from politics are doomed to failure when they run afoul of the conditions of human existence. In this case, the relevant conditions are plurality and natality. Thus, while the familiarity and friendship within the Church attempts to bind a plurality on the basis of their shared rejection of the world and retreat from the unpredictability of a violent world, instead it only succeeds in relocating politics in this newly formed and theologically-oriented space. The bond of faith is highly provisional and predicated on the immanence of death and annihilation, and does not produce a set of institutions to organize labor or create meaning in response to novelty that will save us from the cycles of necessity or render the span

between birth and death meaningful. Instead, the very bonds of charity require a constant affirmation that “the world itself is doomed and that every activity is undertaken with the proviso *quamdiu mundus durat* (‘as long as the world lasts.’)” (Arendt 1958, 53) On this model, which Augustine himself famously denounced in *The City of God’s* response to Christian millennialism, Christian charity can only persist under the constant double threat of personal mortality and cosmic apocalypse.

Yet counter to the theological quietism this millennialism demands, the longer this anticipation of world-destruction goes unsated, the greater will be the temptation to concern ourselves with making a world and populating it with meaningful acts rather than subsisting in contemplation and prayer. When early Christians surrender to the temptations of secular affairs, their fall from Neo-Platonic contemplation of the divine follows the newly privatized trajectory of charitable seclusion. In this newly created space of theological appearance, Christians demanded that goodness and wisdom, the tyrannical products of thinking, should rule. Where Arendt’s standard reply to all attempts to rule by goodness and holiness is that they are transformed into mere opinion or worse, exposed as hypocrisy, the moment they appear publicly, the early Christians embraced this tension, seeking the shelter of a private world while attempting at the same time to practice justice in public. According to this newly discovered theory of justice, even acts of charity “must not appear before the eyes of men... indeed must remain so hidden that the left hand does not know what the right hand its doing—that is, the actor barred from beholding his own deed.”(Arendt 2005, 138) If Arendt is correct, these warring impulses are unsustainable so long as public matters must be controlled in secret, and the competing publics of church and state were destined to coalesce.

Arendt ascribes responsibility for the politicization of the “consciously and radically antipolitical character of Christianity” to Augustine, “precisely because an extraordinary tradition of Roman thought still lived on in him.” (Arendt 2005, 138) It was Augustine who helped the Church to “secularize the Christian flight into seclusion,” rendering the private religious lives of the community once again public and ecclesiastical. In so doing, he helped the faithful to “constitute within the world a totally new, religiously defined public space, which, although public, was not political.” (Arendt and Kohn 2005, 139) In short, it is Augustine who invents the publicity without politics that, as we saw in Hungary and Czechoslovakia, has again become the ideal for a certain kind of intellectual and spiritual life.

The tasks facing the Christian politician were the same as those presented by Konrad’s antipolitics: to maintain influence on secular politics while remaining “secure from outside influence.” (Arendt and Kohn 2005, 140) To influence without being influenced, the Church had to find the Archimedean point,

not just worshipping the unmoved mover but becoming one. Arendt claims that its failure was inevitable, but at the same time she admits that the Catholic capacity to supply a substitute for citizenship allowed it to preserve a public realm (though not a political realm) long after the Roman Empire's fall.

Arendt's ultimate dissatisfaction with Christian antipolitics is that it is motivated not by freedom and participation, but by the ideal of limitation. Politics becomes a means to an end, but that end, freedom to worship, lies outside of political life. "The idea is to limit the sphere of government as far as is possible and necessary in order to realize freedom beyond the reach of government." (Arendt and Kohn 2005, 143) In their efforts to carve out a space for religious freedom, the early Christians had wrought a radical and unsustainable shift in priorities in the Romans' life-world: from the freedom-to act towards the freedom-from the demands of the active life.

Following Nietzsche, Arendt speaks of the Christian publicity without politics as world-destruction and ultimately as 'desertification': "the withering away of everything *between us*, can also be described as the spread of the desert." (Arendt 2005, 201) As with the growing belief that the purpose of political action is the preservation of life rather than the practice of freedom, this limited government renders the public realm a veritable desert. On the one hand, the totalitarian temptation to marry matters of life and labor with the political subordinates freedom forever to the necessities of survival. On the other hand, the dangerous forces unleashed by warfare render political instability potentially cataclysmic for publicity as the risk of action become unpalatable. These twin attacks on the preconditions of politics threaten to destroy the world we share, about which we deliberate and for which we act.

While writing the "Introduction *into Politics*," Arendt began to speak differently about the relationship between 'world' and 'work' than she had in *The Human Condition*. In the earlier text, world, the realm of shared meanings and habits, was the product of work, the transmutation of natural materials into things of human use, relevance, and significance. World-production was subsidiary to action and an inferior and often anonymous effort to supply meaning to the repetitive cycle of nature's diurnal and seasonal schedule. In the newer text, she began to suggest that while work produced a world of things, this manufactured world did not, alone, clear a space for action. Perhaps in part she withdrew from the world-disclosive capacity of work's products because in modern times manufacture has itself been alienated from human meanings. However, she also amended her account following Heidegger's work on the work of art under industrialized capitalism, where the forces of production have been overmatched by a destructive impulse, one that renders all of its products ersatz and replaceable:

“[P]roduction and destruction... ultimately prove to be two different but indistinguishable phases of the same ongoing process... and even the construction of a new house, given its carefully calculated life expectancy, can already be construed as apart of an unending process of tearing down and building anew.” (Arendt 2005, 156)

The manufactured world that already foresees its own destruction is a subsidiary to another world, this one created and maintained by human actions, a world of relationships, the in-between or inter-est that Arendt had celebrated in *The Human Condition*. But as the world of meaning and work becomes overrun by cycles of production and destruction, fads of meaning and significance, this destructive impulse begins to threaten the world of relationships as well. Only massive violence and annihilation on an unprecedented scale can destroy the world of human production, by destroying every product of that world. But the world of relationships is much more fragile: terrorize the inhabitant of that world and they will quickly forget every memory of its foundations. A people’s physical existence is not the only thing worthy of preservation, however, though totalitarianism presents this false choice. Systematic political terror attacks freedom in the name of life, even though it was through freedom itself that this exponential logic of human unforeseeability was unleashed: “We are familiar with such processes of devastation from history, and there is hardly a single instance in which they could have been halted before they dragged a whole world with its entire wealth of relationships to its doom.” (Arendt 2005, 190-1)

Arendt identifies three particularly troublesome responses to modernity: escapism, totalitarianism, and psychology. According to Arendt, the most common response to the pervasive withering of the loose-knit, horizontal political affiliations within a public world is a kind of escapism akin to the early Christian flight into seclusion: “to escape from the world of the desert, from politics, into... whatever it may be.” Yet if we treat our spiritual or contemplative lives not as brief respites but fully functioning alternative publics, we “carry the sand of the desert into the oases,” just as the Catholic Church introduced secular plurality and publicity into their communal seclusions. “[T]he failure to recognize and endure doubt as one of the fundamental conditions of modern life, introduces doubt into the only realm where it should never enter: the religious, strictly speaking, the realm of faith.” (Arendt and Kohn 2005, 205) Echoing the Donatist’s anxiety over the combination of religious and secular authority in Rome, Arendt suggests that failure to preserve the barriers between faith and politics will inevitably destroy faith, leaving us no solace from the intrusions of politics. This destruction may look more like private religious experience overpowering the public sphere, as it did in the original Christian Romanization. However, the alienation

and doubt of modern life renders the flight into seclusion into a headlong retreat through the wasteland, to an oasis already reclaimed by the desert.

The major risk of totalitarianism is that it will destroy what little solace we have left in the desert of modern life: the solace of private thoughts, the privacy of friendship and love, and the idiosyncratic isolation of the artist's self-made world. Through violence and terror, totalitarianism renders us unthinking, mistrustful, and afraid to buck convention. Psychology responds to the desertification of modern life by making us comfortable there in the wasteland, but it threatens to render us so comfortable in our natural setting that we will never try to humanize it. Arendt's skepticism about psychology is rooted in its tendency to focus too much on the actor and not the act, and to that which is hidden rather than that which appears.

"When we lose the faculty to judge—to suffer and condemn—we begin to think that there is something wrong with us if we cannot live under the conditions of desert life. Insofar as psychology tries to 'help' us, it helps us 'adjust' to those conditions, taking away our only hope, namely that we, who are not of the desert though we live in it, are able to transform it into a human world." (Arendt 2005, 201)

Psychology is a response to the radical doubt that is attendant with modern life that threatens to leave us without bearings or standards, but she suggests that the adjustments it enables us to make to modern life may only exacerbate the trouble. Enduring and suffering, hoping and condemning, we stand a better chance of re-humanizing the desert if we do not simply acclimate ourselves to its conditions.

Arendt mentions that the foreclosure of the space of action also destroys the faculty of judging, which she here associates not with the power to punish but the power "to suffer and condemn." This launches a new way of speaking about judging for Arendt: we must endure the desert's harsh conditions, the doubt, alienation, and desperation of modern life, suffering those conditions openly rather than seeking shelter from or habituation to them. This suffering is judging. We must do this to preserve the two faculties she here says are essential for salvaging the desert landscape for human habitation: passion and action. "Only those who can endure the passion of living under desert conditions can be trusted to summon up in themselves the courage that lies at the root of action, of becoming an active being."

(Arendt 2005, 202) Trapped in the desert, unable to suffer or to condemn, it stands to reason that none of us have had the opportunity to experience the unconditional love of the world Arendt associates with Christian charity. At best, we embrace the modern life like Nietzsche did, as if it were a reflection of our soul's wasteland. If judging combines the capacity to suffer, undergo, and endure an experience with

the power to condemn or praise it, then it is fundamentally different from the act of thinking which merely withdraws from the experience to consider its invisible underside.

Though prejudices do increasingly infect our political lives, Arendt was concerned especially with the prejudicial condemnation of politics itself rooted in the philosopher's and the Christian's persecution. The prejudices "are a reflection of those things we all automatically share with one another but no longer make judgments about because we no longer have any real opportunity to experience them directly." (Arendt 2005, 151) We condemn politics for its refusal to leave us a private space for faith and philosophy, despite the fact that we are the ones who import the sand of the desert from the public world.

How Judging Allows Us to Persist at the Impasse of Freedom

"...No sovereignty—Yet he would be king on't. The latter end of his commonwealth forgets the beginning." (The Tempest, Act 2, Scene 1)

It seems that we have ended in a very different place than where we began. We started by seeking a mediating term between thinking and politics. If my reading of Arendt is correct, there can be no such term, because the tension between them is inherent in the human condition. I have argued that Arendt's account of judgment would not supply the bridge between the spheres of withdrawal and activity. At times she suggested that political thinking could sometimes be practiced, and she offered her occasional pieces as exercises in this vein. For instance, the essays that comprise *Between Past and Future* were to be "exercises [whose] only aim is to gain experience in *how* to think; they do not contain prescriptions on what to think or which truths to hold." (Arendt 1961, 14) But though these exercises model political thinking, they do not fit into the typology of faculties defined by the *The Life of the Mind*.

For Arendt, thinking demands that we be able to act consistently with ourselves. Yet willing requires that our actions be unpredictable, that even the actor discover the principle of her action in the results and reactions which it prompts in others. As such, Arendt's account of thinking and willing leaves them radically incommensurable. Thus it is always the case that when it matters most, we "know not what we do."

Though we might wish that this tension would have been resolved in her final volume of *The Life of the Mind*, I have argued that this would not and could not have been the case. There is no resolution. Instead it appears that Arendt sought to make the unpredictable and irrevocable nature of action

palatable. This aesthetic account of judging differs from the prospective and retrospective account of judging. Though judging cannot guide action or thinking, it can dispose us to love the world in which action and thinking are incommensurable.

Judging-as-love-of-the-world accepts the arbitrary limits of meaning that thinking demonstrates, and reconciles us to our own powerlessness over the consequences of our actions. We cannot bridge what she called “the bridge of pure spontaneity,” (Arendt 1978, II, 216) but only become comfortable at its impasse. However, as I argued in the final chapter, this reconciliation does not obligate us to a universal forgiveness. In fact, the refusal to forgive is exactly what delimits the jurisdiction of judgments. This refusal is enabled by the faculty of judging, because it contributes the horizons of meaning within which our shared responses are distinguishable from thinking’s withdrawal into the invisible world. For Arendt, judging supplies both the opportunity for and the limits to the imaginative inclusion by which Kant achieved the enlarged mentality of judging. Forgiveness and its withholding are necessary for the constitution of a *sensus communis*, and to the factions and associations that make isonomic politics possible.

Though I have tried to defend Arendt from charges of nostalgia, I do worry that her political theory may not be able to handle the demands of globalization, in which we are forced to share the physical world those who we cannot include in our deliberative community. Our in-group solidarity and out-group exclusivity might be too strong to overcome or mediate through isonomic representation. But perhaps I, like Ronald Beiner, have installed a weak theory of judging in the unclaimed space only to find fault with it. Then too, Arendt’s faith in natality, and her reminder that worlds are not simply discovered, but also remade, serves as good reason to continue reading and studying her. Just because global institutions of politics do not present us with a phenomenological world of shared norms, values, and meanings does not mean that we cannot make a new set of institutions that will.

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Notes

¹ From Maurizio Passerin d'Entreves, "Hannah Arendt," <http://plato.stanford.edu/entries/arendt/>. d'Entreves' entry in the Stanford Encyclopedia is based on a survey of the secondary literature, but while he mentions the apparent tension between the two temporalities of judgment, he does not acknowledge that the secondary scholarship does not lend itself to a resolution of this tension.

² This problem has been described recently by David Estlund as the challenge of epistocracy. Estlund claims that public inquiry into moral and empirical facts is authoritative only when it is subordinated to a general acceptability requirement, "no one has the authority or legitimate coercive power over another without a justification that could be accepted by all qualified points of view." (Estlund 2007, 33) The general acceptability requirement ideally harnesses the preference aggregating and information-assessing functions of democratic institutions like voting, deliberating, and protesting while curbing elitist ("epistocratic") procedures. Moral experts are not, by virtue of this qualification, political authorities capable of making generally obligating policies. Since our moral intuitions and judgments are generally not responsive to unexplained appeals to expertise, democratic polities that defer to experts are, he claims, confusing correctness with authority. This caveat preserves the authority by which even dissenting citizens feel obliged to obey or face just coercion

³ Every other part of physicality that might eventually respond well to thought can be subsumed into work: love can be redefined in the stanzas of poets, or the family reinterpreted by the architects and therapists who concern themselves with its physical and emotional structures, but the activities of poets and architects depend on the productive and evaluative framework of the market.

⁴ See for instance the recent book *Thinking in Dark Times*. (Berkowitz 2010)

⁵ Arendt quotes the 1964 intelligence analysis: "the primary sources of Communist strength are indigenous," (Times 1971, 242) as cited in (Arendt 1972, 25) and goes on to argue that "Anti-Communism... was at the root of all theories in Washington since World War II... They needed no facts, no information; they had a 'theory,' and all data that did not fit were denied or ignored." (Arendt 1972, 39) Here, she identifies anti-Communism as a totalizing ideology of the same magnitude as communism itself, and with the same obsession with internal enemies and the same unfalsifiable capacity to turn any fact into proof of its own validity.

⁶ Arendt discounts the possibility that Eichmann's ambitions were sufficient to undermine his moral sense.

⁷ Arendt quotes the *Gorgias*, 474b, 482c, d, 483a, b, which she has translated herself.

⁸ Robert Talisse has argued that, in this formulation, diversity itself serves as a value subject to contestation, such that there can be no entailment between value pluralism and liberalism. (Talisse 2009)

⁹ Certainly Arendt differs from Heidegger in this regard, as well as in her tendency to downplay the novel upsurge of an event from nature or the earth in favor of the human act. The fact that she acknowledges the experience of wonder and celebrates its role in thinking, however, suggests that she has simply displaced the role of *physis* rather than wholly suppressing it.

¹⁰ She goes on to write: “The I-will decides what kind of I-am to show.” Image 32, Writings—notes and excerpts—n.d. (3 of 8 folders) Hannah Arendt Papers, Manuscript Division, Library of Congress, Washington, DC, from an undated note titled “Will Conclusion.”

¹¹ Image 33, Writings—notes and excerpts—n.d. (3 of 8 folders) Hannah Arendt Papers, Manuscript Division, Library of Congress, Washington, DC. This note clearly continues the thought from “Will Conclusion:” image 32 ends with the phrase “to change the world by making certain” and image 33 continues “mental principles manifest.”

¹² Image 33, *ibid.*

¹³ See also: Baker, Keith Michael. *Inventing the French Revolution*. New York: Cambridge UP, 1990

¹⁴ Image 32, Writings—notes and excerpts—n.d. (3 of 8 folders) Hannah Arendt Papers, Manuscript Division, Library of Congress, Washington, DC, from a note titled “Will Conclusion.”

¹⁵ Worse, sometimes even a highly trained bureaucrat cannot achieve the goal. Consider asbestos, which the EPA tried and failed to ban under the Toxic Substance Control Act, and has thus been dealt with using civil litigation. Currently, there are over 85,000 chemicals potentially covered by TSCA, but the EPA has only managed to make promulgate rules on 5 of them since its passage in 1976.

¹⁶ In the preface to his collection of translations, including “The Origin of the Work of Art,” Albert Hofstadter writes “Hannah Arendt has been particularly liberal with suggestions for improvement, the present text contains many changes due to her.” (Heidegger and Hofstadter 1975, vii)

¹⁷ Arendt quotes letters to Marcus Herz from June 7, 1771 and February 21, 1772.

¹⁸ Image 73d, Courses--- University of Chicago, Chicago, Ill.---Kant's Critique of Judgment, seminar---(also given at the New School for Social Research)---1964, 1970 (Series: Subject File, 1949-1975, n.d.) Hannah Arendt Papers, Manuscript Division, Library of Congress, Washington, D.C.

¹⁹ Unlike his speculations on the unwritten volume “On Judging,” Bernstein’s work on Arendt’s *published* work is impeccable. This is especially true of his 2002 book *Radical Evil*, where he seems to withdraw his complaint about Arendt’s account of politics. In that book, he sides with Arendt in her claim that action requires both spontaneity

and plurality, and that these prerequisites are endangered when the state becomes too intimately engaged with 'making live,' insofar as it serves his overall argument about human superfluousness produced by a certain contemporary mode of sovereignty. (Bernstein 2002) I have not been able to find Bernstein's defense of this apparent contradiction.

²⁰ Here, I direct the reader to discussions of 'capability theory' that address this antinomy more directly, especially Amartya Sen and Martha Nussbaum. (Nussbaum 1992, Nussbaum 2001, Sen 1987, Sen 1990, Sen 2000) To these standard references I add Phil Agre's essay, "The Practical Republic," which focuses on the cultivation of 'social skills' generic to political participation. The general conclusion is that, though state action can certainly fertilize or salt the ground from which it springs, the power to contest state policy is *not* redistributable by the state. At best, the state can cultivate some of the preconditions of political capacities. (Agre 2004)

²¹ Image 12, Courses---University of California, Berkeley, Calif.---"History of Political Theory," lectures---Tocqueville, Alexis de, and Karl Marx, and conclusion---1955 (Series: Subject File, 1949-1975, n.d.) Hannah Arendt Papers, Manuscript Division, Library of Congress, Washington, D.C.

²² David Marshall has begun to correct this with a paper given at the Arendt Circle in March of 2008, forthcoming in *Political Theory*. ("The Origins and Character of Hannah Arendt's Theory of Judgment.") He concludes that her early work on Kant draws on a comparison with Aristotle's *Rhetoric*, and draws a comparison between Aristotle's conception of the rhetorical situation and the "spectator theory" of judgment. As I shall argue, however, Arendt did not intend to adopt a spectator theory of judging.

²³ Onora O'Neill offers a similar claim: that "the first Critique is not only deeply antirational but profoundly political," (O'Neill, 1989, 4) in her book *Constructions of Reason*, which she attributes to Hannah Arendt as well. Yet where Arendt seems to feel this failure to properly secure thinking from community is a mark against Kant, O'Neill commends it as the foundation of the public use of reason: "Where nobody thinks for him- or herself, there is no plurality of viewpoints to be heard and debated." (O'Neill 1989, 46) In this, O'Neill appears to supply a more accurate account of Kant, and of the interrelation between reason, common sense, and judgment than Arendt does in her lectures on Kant. This is certainly related to the distance from Kant that she takes in an effort to use some aspects of his project without being trapped by all of it. (O'Neill 1989, 46)

²⁴ Image 12, Courses---University of California, Berkeley, Calif.---"History of Political Theory," lectures---Tocqueville, Alexis de, and Karl Marx, and conclusion---1955 (Series: Subject File, 1949-1975, n.d.) Hannah Arendt Papers, Manuscript Division, Library of Congress, Washington, D.C.

²⁵ Westphal suggests that Kant uses the Principle of Publicity to offer an esoteric defense of revolution, by superseding the anti-revolutionary Principle with an 'affirmative principle of public right' that explicitly undermines it and approximates a Rousseauist account of the General Will: "the second Principle of Publicity leaves open the tantalizing possibility that rebellion against tyranny is legitimate, because the ultimate success of such a rebellion

would require publicity and public agreement in the aim of the revolt!” (Westphal 1992, 393) This turn to esoteric Kantianism strikes me as overly optimistic, and in opposition to Kant’s claims in “What is Enlightenment?” Kant does not have David Hume’s caution nor his delightful penchant for transparently self-undermining writing aimed at bypassing the censors, as the conflict over the publication of *Religion with the Limits of Reason Alone* demonstrates.

²⁶ Quoted in (Westphal 1992, 401).

²⁷ “What stands in need of consummation is belief, and the end of belief, not of love, is vision. [...] The reason that *caritas* is greater than faith and hope is precisely because *caritas* contains its own reward and will remain what it is in this life and the next.” (Arendt 1996, 31)

²⁸ Especially in her analysis of the first form of love, Arendt’s analysis shows clear connections with the first part of Heidegger’s *Being and Time*. Since Arendt later attributes great significance to the concept of ‘world’ in Heidegger’s work, I offer this resemblance as partial proof that Arendt did understand the Heideggerian conception of “world” and that her distinct use of that term in her work is a deliberate and informed one rather than the result of ignorance or misunderstanding. (“It is almost impossible to render a clear account of Heidegger’s political thoughts that may be of political relevance without an elaborate report on his concept and analysis of ‘world.’” (Arendt 1994, 446)

²⁹ Arendt treats Augustine’s discussion of “the Platonists” as if it refers explicitly to Plotinus, and while this attribution is contested among contemporary Augustine scholars it seems to have been the received wisdom at the time she was writing. For clarity, I abide by this conflation throughout the rest of this section, as Arendt’s analysis depends on the connection directly.

³⁰ Arendt twists the self-directed pledge into a pleading with God “to gather [him] in from the dispersion wherein [he] was torn asunder.” (LSA, 23) The move from action to undergoing is loyal to the sense of Augustine’s relation to God, but not to the text.

³¹ Arendt quotes her own translation of *The Way of Life of the Manichaeans* II, 6, 8.

³² Here we find the passage in which commentators have located the much-vaunted ‘abandonment’ of Heidegger’s ‘death-driven phenomenology’: “Since our expectations and desires are prompted by what we remember and guided by previous knowledge, it is memory and not expectation (for instance, the expectation of death as in Heidegger’s approach) that gives unity and wholeness to human existence. [...] This human possibility [of making and holding present both past and future] gives the man his share in being ‘immutable’....” (Arendt 1996, 56)

Considering the fact that Augustine’s self-inquiry begins with a fear of mortality, the distinction Arendt claims here appears disingenuous. The confessional moment that leads Augustine to this meditation on the *nunc stans* in which each ‘now’ is coeval with the others is driven by a fear of death. More to the point, this radically quietist

account of memory is wholly unrelated to Arendt's alternative account of natality as the ground for the *vita activa*. In this, at least, Arendt's departure from Heidegger is wholly her own.

³³ Contrast Augustine's claim that every sentence of the Scripture must be understood as promoting charity with the definition offered by Donald Davidson in (Davidson 2001): "the more sentences we conspire to accept or reject, the better we understand the rest, whether or not we agree," and we can see that the conceptual drift is quite extreme.

³⁴ Here Arendt chooses Nazareth over the Hellenic *Khristos*, Jesus 'the annointed,' i.e. Jesus the messiah. Her constant reference to Jesus as an historical rather than religious figure is part evidence that her continual work on Christian theologians and authors did not lead to a conversion. Another piece of evidence is supplied by Elizabeth Young-Bruehl in her account of Arendt's choice of Jewish funerary rights for herself and Heinrich Bluecher.

³⁵ Matthew 6:14-15, quoted in (Arendt 1958, 239, n. 77)

³⁶ This essay appears, with minor revisions, as "The Prince's Dog," in (Auden 1962) All quotations are from the revised edition.

³⁷ Anne Phillips highly ambivalent discussion of Arendt and civic republican accounts of public life in *Engendering Democracy*, echoed by Seyla Benhabib in *The Reluctant Modernism of Hannah Arendt*, are based on Arendt's apparent indifference to power relations within a family or friendship between men and women, where misogyny creates imbalances in household labor and political life offers no non-totalitarian solution. "[Despite superficial affinities between Arendt and the contemporary women's movement,] in most ways the principles of republican democracy seem antagonistic to women's movement concerns. None of its theorists is an enthusiast for dissolving the boundaries between public and private, or for transforming the way decisions are made in every arena of social life." While Arendt's few comments on these matters do suggest an indifference to communal discrimination, there is nothing to suggest that the family is not a site of democratic debate, deliberative judgment, and contestation. She simply balks, as does Phillips, at state intervention: "We can perhaps imagine the kind of decision-making structures that would equalize power within the household, but would we welcome the household inspectorate whose job it might be to enforce them?" (Phillips 1991, 103)

³⁸ This is primarily a question of intensionality, since acting out of a religious duty may not count as refraining from other motivations for an action. The difference would only be relevant in those instances where judgment and religious observance would lead to different results, which is probably rare. Consider, for instance, someone with an undiagnosed allergy to shellfish who also keeps kosher. Does she have a non-religious reason for avoiding shellfish? I suspect this is merely a special case of problems in epistemic justification generally.

³⁹ In this way, Arendt's discontent with the politics of Christian charity foreshadows John Rawls' moratorium on the use of religious or metaphysically contested arguments in the public sphere. Rather than advocate self-censorship

as Rawls seems to do, Arendt's work suggests ambivalence: she wants both to demonstrate the dangers of discourses of charity and to preserve the pluralism of reasons for the sake of which we engage in disputation.

⁴⁰ The metaphor of the palimpsest helps to illustrate this task: though the transgression is indelible and ineradicable, the forgiver nonetheless scratches it out. Forgiveness leaves an overwritten mark that can be deciphered, especially in light of further transgressions.

⁴¹ See, for instance, (Gaddis 2005), (Tilley 1996), and (Von Heyking 2001).

⁴² My account here largely depends on that supplied by W. H. C. Frend in (Frend 2000) He relies on Opatius of Milevis' *De Schismate* for the dating of the Pope's verdict against Donatus.

Joshua A. Miller

6127 8th Street NW
Washington, DC 20011
(814) 883 – 4151
jam695@psu.edu
October 15, 2009

EDUCATION

Ph.D. in Philosophy, Pennsylvania State University, 2010
M.A. in Philosophy, Pennsylvania State University, 2005
B.A. in Philosophy, Bard College, 2000

AREAS OF SPECIALIZATION

Social and Political Philosophy, 19th and 20th Century Continental Philosophy

AREAS OF COMPETENCY

Ethics, Philosophy of Law

PAPERS PUBLISHED

"Foresight, Epistemic Reliability, and the Systematic Underestimation of Risk," (with Steven Maloney) in *The Good Society*. (Accepted)
"An Act is Worth a Thousand Words: A Place for Public Action and Civic Engagement in Deliberative Democracy," (with Steven Maloney) in *Theoria*. (55:117, 2008)
"Rhetoric and Terror: Learning from Arendt's Attack on Cliché," (with Steven Maloney) in *The Good Society*. (16:2, 2007)

PAPERS PRESENTED

"Subsistence and the 'Secret Solidarity' between Humanitarianism and Biopolitics," Society for Phenomenology and Existential Philosophy, October 29-31, 2009
"Laying Siege to the Pool of Reasons: Habermas and Antipolitics," Beyond the Academy Conference, George Mason University, June 10-11, 2008
"Democracy and Distinction: Arendt, Rancière, and Education," Arendt Circle, Emory University, March 28-30, 2008
"The Progressive Paradox: Hannah Arendt on Isonomy and Bureaucracy." Communication Arts and Sciences Colloquium, Pennsylvania State University, November 30, 2007
"Work v. Action: *The Human Condition* and the Making of the World," Hannah Arendt: Discernment in Dark Times, University Park, Pennsylvania, October 14-15, 2005

GRANTS AND FELLOWSHIPS

Research Fellowship, Center for Democratic Deliberation and Civic Engagement, 2007-2008
Teaching Release Grant, Penn State Humanities Initiative, Fall 2007
Teaching Grant, APA/AAPT Graduate Teaching Seminar, Summer 2006
Graham Endowed Fellowship, 2002-2003