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Arendt's Judgement and Eichmann's Evil

Mir scheint, man muß, weil es wirklich so war, die Dinge
in ihrer ganzen Banalität nehmen, ihrer ganz nüchternen
Nichtigkeit – Bakterien können völkervernichtende
Seuchen machen und bleiben dennoch nur Bakterien.

Karl Jaspers an Hannah Arendt, 23. October 1946

Introduction¹

In many respects Hannah Arendt's report on the Eichmann trial is interesting and stimulating. Take a close look at how she deals with the problem of territoriality, of criminal responsibility and the principle of "*nulla poena sine lege*", and at her reflection on what the meaning of human rights could be and the related issue of determining what we now call "crime against humanity". In addition to the positive reception of these aspects, the book is also widely disputed because of several other aspects²: first, for the way in which it depicts the role of the Jewish state which she suggests wanted to misuse the trial for

political reasons. According to Arendt, prime minister David Ben-Gurion had a show trial in mind which should have bolstered the legitimacy of the Jewish state. Therefore the Jewish authorities denounced the idea of judging Eichmann before an international court from the beginning. Second, the way Arendt portrayed the role of the Jewish councils in the process of deportation and destruction of the Jews as being an important instrument in the hands of the Nazis, was also disputed. Without the cooperation of the Jews themselves this process could not have been carried out so smoothly: "..., if the Jewish people had really been unorganized and leaderless, there would have been chaos and plenty of misery but the total number of victims would hardly have been between four and a half and six million people".³ Her judgment of the leaders of these Jewish councils is severe and harsh, maybe, after some reflection, too severe. Recall the small correction, perhaps occasioned by the fierce criticism, made in second, revised edition of the book. Speaking about Leo Baeck, the former Chief Rabbi of Berlin and prominent member of the Jewish Council she deleted the original phrase: "who in the eyes of both Jews and Gentiles was the Jewish Führer".⁴

Thirdly, her book was criticized because of the way it depicts Eichmann, not as sadistic monster as the prosecutor Hausner would like to have him, but rather as a clown only able to speak in clichés. Arendt emphasises this dilemma between the unspeakable horror of the man's deeds and his undeniable ludicrousness, which brings her to the widely discussed account of "the Banality of Evil" as exemplified in Eichmann. She wrote as follows: "Eichmann was not Iago and not Macbeth, and nothing would have been farther from his mind than to determine with Richard III 'to prove a villain'. Except for an extraordinary diligence in looking out for his personal advancement, he had no motives at all. And this diligence in itself was in

no way criminal; he certainly would never have murdered his superior in order to inherit his post. He *merely*, to put the matter colloquially, *never realized what he was doing*. It was precisely this lack of imagination... It was sheer thoughtlessness – something by no means identical with stupidity – that predisposed him to become one of the greatest criminals of that period. ...one cannot extract any diabolic or demonic profundity from Eichmann”. The trial teaches us, according to Arendt, “the lesson of the fear-some, word-and-thought-defying banality of evil”.⁵ At first sight this account of Eichmann’s evil was, however wrongly, taken as an attempt to trivialize not only what Eichmann had done, but also the horror of the Holocaust.⁶ Later in the reception of the book, the thesis of the banality of evil was taken seriously as an attempt to come to grips with political evil in totalitarian regimes. Attention was also given to the terminological problems since Arendt in the earlier totalitarianism book, a book which is still very rewarding, called this political evil “radical”. Yet, the qualification of Eichmann’s evil as “banal” continues to be subject of criticism.⁷

In this contribution I will not concentrate on the question as to whether or not Arendt deviates from her earlier thesis on radical evil. Recently, Bernstein convincingly argued that despite the impression one gets from what Arendt herself writes⁸, there is not a huge difference between radical evil and the thesis of banality of evil in the Eichmann book. Instead, I try to add to our understanding of the nature of Eichmann’s evil by focusing on the role Immanuel Kant’s moral philosophy played in Arendt’s way of rendering it. It is apparent that Kant’s philosophy played a major role in Arendt’s work. Her final book *The Life of the Mind* is devoted to the mind’s faculties of knowing, willing and judging, in a clear analogy to the Kantian *Kritiken*. Unfortunately, Arendt wasn’t able to provide us with a well prepared version of her views on the faculty

of judging, due to her untimely death. She only left us with some lectures, the now well-known *Lectures on Kant's Political Philosophy*. It is my conjecture that Eichmann's evil in the perception of Arendt must be understood in the context of her work on the faculty of judging. I will therefore connect these *Lectures* with the Eichmann book, as is suggested by Arendt herself. In the introduction to *The Life of the Mind*, of which the *Lectures* were supposed to be the third part, she wrote: "Factually, my preoccupation with the mental activities has two rather different origins. The immediate impulse came from my attending the Eichmann trial in Jerusalem. In my report of it I spoke of 'the banality of evil'. Behind that phrase, I held no thesis or doctrine, although I was dimly aware of the fact that it went counter to our tradition of thought...about the phenomenon of evil. ...I was struck by a manifest shallowness in the doer that made it impossible to trace the uncontestable evil of his deeds to any deeper level of roots or motives. The deeds were monstrous, but the doer... was quite ordinary, commonplace, and neither demonic nor monstrous. ...it was not stupidity, but thoughtlessness. ...It was this absence of thinking...that awakened my interest."⁹

My conjecture is simple: While writing on the Eichmann trial, Arendt held no thesis as to the nature of Eichmann's evil. Only after studying Kant's *Kritik der Urteilskraft*, not as a theory of fine arts or biology, but as a theory of the constitution of a political community through *sensus communis*, she found besides totalitarianism the second necessary component to understand what she was confronted with, namely the total absence of *sensus communis*. In the Eichmann book this second component remains implicit. I will try to bring it to the fore. But first, I examine the way in which Kant's moral philosophy explicitly played a role of some importance in the trial.

Eichmann and the Duty to Obedience

During the police interrogation before the trial an apparently strange episode took place. For what would seem to be more strange than bringing the moral philosophy of Kant in connection with the murderous activities of the Nazis? Yet that is what happened. During these interrogations Eichmann said that he had lived his whole life according to Kant's moral precepts and especially according to the Kantian definition of duty. During the trial Judge Raveh questioned the accused on this point and, Arendt writes, Eichmann came up with an approximately correct definition of the categorical imperative: "I meant with this remark about Kant that the principle of my will must always be such that it can become the principle of general laws".¹⁰ He then told the judges that he had read the *Kritik der praktischen Vernunft*. However, in response to the question whether he considered his contribution to the Final Solution in accordance with the Kantian principles, he answered that this was not the case: "No certainly not. ...For I did not mean as I was living then, under the pressure of a third party. When I talked of the categorical imperative, I was referring to the time when I was my own master, with a will and aspirations of my own, and not when I was under the domination of a supreme force. ...Then I could not live in accordance with this principle. But I could include in this principle the concept of obedience to authority. This I must do, for this authority was then responsible for what happened".¹¹ Again, Judge Raveh was surprised: it might be true that the killing of people cannot be reconciled with Kant's philosophy, but does Eichmann really mean that blind obedience is one way or another implied in the concept of the categorical imperative? Eichmann answered that that he had to obey and that he found himself into a completely new situation

which he could not really judge. When pressed again, he gave up: "es kann nicht im Sinne der Kantischen Forderung liegen, Menschen gewaltsam zu töten, weil es an sich nichts Gottgewolltes ist". But, as he justified himself, "die ganze Materie Kant" is not understandable for a person such as he; he just lived "ein ordentliches Leben" according to "kategorischen Imperativs für den Hausgebrauch eines kleinen Mannes". In this household use of the little man nothing more of Kant's spirit was left than the demand not only to obey the law, whatever its origin, but also to identify with the principle of the law, whether it is practical reason or the Führer's will.¹²

Arendt does not pay much attention to this episode in the trial, which she apparently considers as just one more strategy of the defense to present Eichmann as just an ordinary law-abiding citizen. He simply carried out his duties and how can he be held responsible? And she more or less agrees with Eichmann's evaluation of the situation: he was no longer able to live in accordance with Kantian principles when his will was put under the domination of a supreme force. Arendt takes it for granted that Kant's moral philosophy rules out blind obedience since it is so closely bound up with man's faculty of judgment. For Kant every man was a legislator from the moment he started to act.¹³ She also agrees with Eichmann's contention that in Germany the very odd notion existed that to be law-abiding means not merely to obey the law but to act as though one were the legislator of the laws one obeys.¹⁴ She is therefore not astonished by Eichmann's declaration that he felt uncomfortable when making two exceptions for Jews in his neighbourhood. He helped a half-Jewish cousin and a Jewish couple after a request made by his uncle. He feels guilty about these events, because the law has to be obeyed unconditionally, even when one has to act against strong inclinations.¹⁵

However, Arendt neglects to mention that such obedience to the authorities can be traced back to Kant's philosophy as well. At first sight, it seems that Eichmann has a point here. Isn't the duty to obedience a commonplace in Kant's political philosophy. Kant's famous 1786 essay "Beantwortung der Frage: Was ist Aufklärung?" emphasizes the freedom to make public use of one's reason in all matters and provides the famous definition of Enlightenment: "Enlightenment is man's emergence from his self-incurred immaturity". Such freedom, however, does not entail being freed from the duty to obedience. In the very same essay Kant quotes Frederick the Great with much approval: "Argue as much as you like and about whatever you like, but obey!"¹⁶ To be sure, during the Nazi regime, there was no freedom to argue, but it is highly questionable whether this unjustified restriction of the freedom to argue would lead to the removal of the duty to obey, according to Kant. The duty to obey seems not to be contingent on freedom of speech. For although Kant's more mature "On the Common Saying: 'This May Be True in Theory, but it Does not Apply in Practice'" emphasizes the freedom of the pen again, we also find the harsh statement that all resistance against the supreme legislative power is the greatest and the most punishable crime. This prohibition is absolute: "even if the power of the state or its agent, the head of state, has violated the original contract by authorizing the government to act tyrannically, and has thereby, in the eyes of the subject, forfeited the right to legislate, the subject is still not entitled to offer counterresistance." Resistance is absolutely prohibited.¹⁷ Kant's *Rechtslehre* confirms this: "If the organ of the sovereign, the ruler, does anything against the laws (e.g. if he infringes the law of equal distribution of political burdens in taxation, recruiting, or the like), the subject may lodge complaints about this injustice, but he may not offer resistance". The sovereign of the state has

rights only in relation to the subject, and no coercive duties.¹⁸ Would 20th century experience with totalitarianism then not refute at least Kant's political philosophy?

There are some good arguments against such reasoning however. First, Kant's arguments apply to the situation in which he lived: not the situation of totalitarianism, but of the ascent of republicanism. It is even possible to understand his refusal of the right of revolution as an argument in favour of the French Revolution, namely as a denial of the right of the French king to restore his power.¹⁹ Furthermore: the denial of the right of revolution is not exceptional nor unprecedented: Kant merely reiterates the Hobbesian argument that the establishing of sovereignty is the necessary condition to leave the state of nature. To acknowledge a right to resist would deny such sovereignty. The problem of the "*quis indicabit*" would remain unsolved, since the state of nature's problem is exactly the absence of a final judge. Therefore there cannot exist a juridical right to resistance. Thirdly, in a few places in Kant's writings, a restriction of the duty to obedience is indicated. In the second edition of the *Rechtslehre* Kant adds an appendix, in which he replies to Bouterwek's criticism, among others, on this point. Kant writes: although the following proposition is offensive: "That one who finds himself in possession of supreme executive and legislative authority over people must be obeyed and that this obedience is rightfully unconditioned", it is a categorical imperative to obey the authority who has power over you. But between brackets he now adds the following: "in whatever does not conflict with inner morality".²⁰ A footnote in the earlier "Religion within the Limits of Reason alone" repeats this: the biblical saying that we ought to obey God rather than men (*Acts*, V 29) means that if men command anything which in itself is evil, which is: directly opposed to the law of morality, we dare not, and ought not, obey them.²¹ The *Kritik der*

praktischen Vernunft even gives an example of such a command: when someone was forced to give a false statement on Anna Boleyn by such high authority as Henry VIII, he rightfully refused to do so.²²

Now it could be argued that these statements and this example cannot have far-reaching consequences. For they occur on the margin of Kant's political philosophy: an appendix to the *Rechtslehre*, in chapter three of Kant's book on Religion and in the second *Kritik*, not in its core. Furthermore, these remarks are very vague: they by no means indicate the conditions as to what counts as a violation of "inner morality" and as to when exactly the duty to obedience is lifted. And if such conditions aren't specified, who then is going to judge? If every citizen had the right to judge whether or not morality is seriously violated, his duty to obey would not mean much. There seems to be, to say the least, a conceptual tension between Kant's admission that one should obey God more than man and the unconditional duty to leave the state of nature.

In order to answer the question whether Eichmann could have justifiably referred to Kant's political philosophy for his defense, we need a more substantial answer than these references. A first step toward such answer would be to consider what blind obedience and giving up of one's own judgment would mean. Let us have a look at how Eichmann could have formulated the principle of his will, using the formulations Arendt gives: "Act as if the principle of your actions were the same as that of the legislator or of the law of the land; or in the words of Hans Frank: Act in such a way that the *Führer*, if he knew your action, would approve it." Could these imperatives be called categorical? To a certain extent they can, for in a trivial sense these commands ask for obedience without any restriction, because they are intended to have universal validity. But in a more technical, Kantian, sense they

cannot be called categorical, as it is important to realize that the form of an imperative alone does not decide whether it is categorical or not. The imperative: "if somebody lends money to you, you have to pay her back", is categorical despite its hypothetical formulation; the imperative "take care of your health" is hypothetical despite the absence of an if-clause.²³ Whether an imperative is categorical or not, depends on whether it derives its binding force from itself or from something else. The concept "categorical imperative" means that there are obligations which do not derive their validity from any kind of contingent presupposition. If on the other hand the validity of an imperative depends on some contingent preconditions, it must be called hypothetical. Therefore, it is clear that the duty to frame your actions according to the same principles as those established in the law of the land or according to the will of the *Führer*, depends on the existence of this law of the land, on the existence of the *Führer*. Such duty can therefore not be anything but hypothetical.

This conclusion is further reinforced if we apply the criterion Kant formulated when we want to know whether our maxims, our general principles of how to live our lives, are morally acceptable or not. In this case we have to put these maxims to the formal test of universality and find out whether the ones that guide our lives could be accepted by all others as the guiding principle of their will as well. The categorical imperative therefore requires us to "act only on that maxim through which we can at the same time will that it should become a universal law". If my maxim can be "willed" as a universal law (of nature, as Kant later adds), acting upon such maxim is a moral duty. If, on the other hand, the maxim destroys itself as soon as it is made universal, it clearly cannot be considered to be a categorical imperative.²⁴ Now let us apply

this formal criterion to the maxim as it could have been formulated by Eichmann and Frank: I want to act as if the principle of my actions were the same as that of the legislator or of the law of the land; or: I want to act in such a way that the *Führer*, if he knew my action, would approve of it. Can such determination of my will be made universal? In answering this question and conducting a thought experiment, one presupposition must be made. Such a determination of the will in accordance with the law of the land or the *Führer* is not the result of some physical law of nature, but indeed an act of their will. Human beings necessarily act under the idea that they are free.²⁵ Therefore people have to decide to act according to such maxims. Now we ask: is it possible for a human being to determine their will in such a manner? The answer is, of course, in the affirmative. We have seen ample historical evidence. Eichmann is a clear example of a human being prepared to subordinate his will to that of someone else. Many people even consider it comfortable to have others think for them.²⁶ However, in order to know whether such determination is morally acceptable, we have to ask whether it can be universally valid. Can I consistently will this maxim to be a universal law? Here the answer is evidently negative: I cannot consistently subordinate my will to someone else's will and therefore such maxim cannot be made into a universal law. The reason for this lies in the contradiction of such a will. For in such a case I use my capacity as a being endowed with a will to give up myself as such a being: through the very same maxim I want to have a will, namely in order to subordinate my will by way of an act of the will, and to not have a will in order to follow unconditionally someone else's will. At the same time, the will affirms and denies being a will. Such a maxim is inconsistent and can therefore not be made into a universal law.²⁷

This very same argument can be formulated differently as well. The maxim "I shall subordinate my will to someone else's will" is a violation of the respect that everyone should have towards himself as a end in itself. And therefore such framing of the will not only contradicts the first formulation of the categorical imperative (the formula of universal law), but also the second (the formula of the end itself).²⁸ And in this sense a clear analogy in Kant's political philosophy can be found. If we ask whether it is possible that someone makes himself into the slave of someone else, empirically the answer must be affirmative. We can imagine people being in the situation of giving up all their right, and thereby having duties only. But if we ask whether such act can consistently be willed, the answer is negative: Making oneself into a slave would be an act of the will, and would at the same time amount to not having a will anymore. Yet, not having such will would make the established contract void. In Kant's words: no one can voluntarily renounce his rights by a contract to the effect that he has no rights, but only duties. The reason being that such a contract would deprive him of the right to make such a contract and thereby invalidate the one he already made.²⁹

We may therefore conclude that Arendt is right in arguing that for Kant morality is incompatible with blind obedience.³⁰ The line of defense taken by Eichmann as not being responsible for the killing of the Jews because he was only carrying out orders, cannot be supported by Kant's political philosophy, nor by Kant's ethics. Strict obedience to immoral duties is ruled out as evil. Eichmann has to be convicted, but then still the question remains: what exactly is his crime? And is there a relation between judgement and crime?

Eichmann and the Absence of Judgement

For several reasons it might seem strange to try and use Kant's philosophy in understanding Eichmann's evil. First, apart from the brief episode I just reflected upon, Kant isn't mentioned in the Eichmann book. Furthermore: despite the fact that the thesis on the banality of evil has attracted much attention, Arendt didn't mean to write a theoretical treatise on the nature of evil.³¹ Thirdly but connected therewith: according to Arendt we are dealing here, as she has already indicated in her book on totalitarianism, with crimes without precedent.³² Totalitarian regimes commit crimes that can neither be forgiven nor punished, because they constitute "absolute evil which could no longer be understood and explained by the evil motives of self-interest, greed, covetousness, resentment, lust for power, and cowardice". Within the philosophical tradition this form of evil has never been conceptualized, neither in the Christian tradition, nor even by Kant, who was "the only philosopher who, in the words he coined for it, at least must have suspected the existence of this evil even though he immediately rationalized it in the concept of 'perverted ill-will' that could be explained by comprehensible motives". We are confronted with the undeniable existence of a phenomenon that cannot be understood with the conceptual means provided by tradition. The only certainty is the fact that this evil emerged in connection with a system in which, as Arendt formulates it, everything is possible and in which all people are equally superfluous.³³

Despite these considerations I think that Kant's philosophy is helpful in understanding Arendt's interpretation of Eichmann's evil. We could imagine Kant as an expert witness. In order to do so let us examine Arendt's description of the defendant in some detail. According to

her, the most striking thing about Eichmann was his ordinariness. In spite of the way in which the prosecution wanted to portray him, the trouble with Eichmann was precisely that so many were like him, (namely) terribly and terrifyingly normal.³⁴ There seems to be no depth in his motives: he just obeyed orders, which he took for the law of the land and therefore legal orders; like so many people, he was ambitious and repeatedly complained about not having reached the position in the hierarchy that he deserved in his own eyes. Despite his loyalty his rank was never higher than "*Obersturmbannführer*". He had been merely modest in his judgement, because he thought that he was not in the position to morally evaluate the objectives of his superiors: "who am I to judge?", even more so when it turned out that the bloody solution was not only ordered by Hitler and Himmler, but, as the Wannsee Conference made clear, actively supported by the "élite of the good old Civil Service". "At that moment, I sensed a kind of Pontius Pilate feeling, for I felt free of all guilt", Eichmann remarks.³⁵ It is my conjecture that the core of Arendt's thesis of the banality of evil lies in this inability to judge. Look again at the crucial lines Arendt wrote: Eichmann was not Iago, not Macbeth, nor did he intend 'to prove a villain' like Richard III. He was eager to make a career, but would never have thought about murdering his superior in order to inherit his post. He merely failed to realize what he was doing, due to "lack of imagination" and "sheer thoughtlessness", that disposed him to become one of the greatest criminals of that period.³⁶ This, and not diabolic and demonic profundity, is the banality of evil.

From this description a few consequences follow. For Arendt, there seem to be two kinds of evil. The one kind is the "normal" one that we are familiar with: the evil behaviour of man motivated by self-interest, greed, cov-

etousness, resentment, lust for power, and cowardice. The other kind then consists of the lack of imagination and judgement, and is thoughtlessness. This kind of evil, unforeseen in the past, emerges in connection with the rise of totalitarian regimes and is perpetrated within such setting. Second, this new kind of evil must not be equated with stupidity or inconsiderateness. But what then does Arendt mean by “thoughtlessness”? It is evidently not the absence of any kind of moral consideration. Eichmann was eager to promote his career³⁷, but not at all costs. It can also not be equated with lack of rationality: Eichmann was an excellent organizer; he knew which means to use in order to reach the goal of the Final Solution. But, crucially, he never thoughtfully considered the nature of the end he was pursuing. He did not question the Final Solution. This “thoughtlessness” can be connected with a series of observations. Arendt remarks that Eichmann is characterized by a tremendous lack of what I would like to call authenticity. This is the meaning of her labeling him as a clown. This lack of authenticity became apparent when it turned out that Eichmann remembered only the important stages in his career but that he had hardly any recollection of the decisive stages in the development of Nazism or the war. His memory is focused extremely on himself. Furthermore: he is completely unable to truly communicate: he can only speak through clichés. For this reason he was very susceptible to the language rules the Nazis invented for covering up their crimes as he belonged to the “bearers of secrets”.³⁸ And even his last words, under the gallows just before his execution, were totally silly. Even then he could speak only in the cliché of the funeral oratory. This thoughtlessness is “thought-defying”³⁹ and consists of the almost total inability to look at anything from the other fellow’s point of view, or in other words, the inability to think, namely to think from the standpoint of somebody else.⁴⁰

Now it would seem as if this inability must be considered as evil since it violates Kant's categorical imperative, which, in its second formulation, commands us to treat every other human being as an end in itself. But this is not the case. Arendt's conception of thoughtlessness as the incapacity to recognize the other's point of view has Kantian roots, but they must not be sought primarily in Kant's practical philosophy, but in the first part of the third *Kritik*: the Critique of (Aesthetic) Judgement.⁴¹ As we find in her posthumously edited *Lectures*, Arendt claims to have found Kant's unwritten political philosophy in this Critique of Aesthetic Judgment. At first sight this is an astonishing thesis. Don't we find Kant's political philosophy in the essays mentioned above and in others, like "Idee zu einer allgemeinen Geschichte in weltbürgerlicher Absicht" dedicated to the philosophical description of the history of political institutions, or in the demand for world peace in *Zum ewigen Frieden*, or in the glorification of the French Revolution in the second part of *Der Streit der Fakultäten*? Didn't Kant write a *Rechtslehre*, part of the long planned *Die Metaphysik der Sitten*?

Arendt knows, of course, that these texts exist, but nevertheless holds that only the first part of the third *Kritik* deals with the specifically political existence of human beings and communities, namely that they exist in plural. This emphasis on diversity and plurality must be distinguished from Kant's thoughts on the human race as a specific species among other species on the one hand and from thoughts devoted to man as a rational being among other rational beings on the other. In the former man is subject to the law of nature. Thus Kant writes: "The history of the human race as a whole can be regarded as the realisation of a hidden plan of nature".⁴² The latter perspective deals with man as subjected to the law of practical reason and as a member⁴³ of the realm of intelligible beings, together with other, yet unknown, ra-

tional beings. The first perspective reduces man to the realm of nature and the second lifts man to the realm of rational beings. Both perspectives, however, fail to focus on the specificity of the human condition, namely on the “plurality” of men as earthbound creatures, living in communities, endowed with common sense, a sense of and for community.⁴⁴ According to Arendt, when Kant writes about the human being, we always have to consider what he refers to: to the human being as a part of teleological nature, to the human being as a part of the kingdom of ends, or – and this is the genuine political perspective – to human beings “as they really are”.⁴⁵ Political philosophy has to thematize the specifically human inhabitation of the world, as earthbound creatures endowed with a community sense.⁴⁶ The precondition for the good life within a political community is therefore the well functioning of the specifically human sense, for the *sensus communis* distinguishes men from animals and from gods. A human community can only be upheld as long as the rules of *sensus communis* are respected: think for oneself; put oneself in thought in the place of everyone else; and be in agreement with oneself (these are the maxims of enlightenment, enlarged mentality and consistency, respectively).⁴⁷ Although this faculty of putting oneself in the place of someone else must be exerted in solitude, it will disappear unless one communicates with others and exposes one’s opinions to the test of others.⁴⁸ While moral evil is the inconsistency of the proposed maxim to bring the Kingdom of Ends closer, political evil consists of the total neglect of these rules, i.e. of the withdrawal from the political realm⁴⁹ with the attempt to extinguish the sense for community as its *sine qua non*. According to Arendt’s interpretation, Kant’s unwritten political philosophy results from applying the so-called reflective judgment⁵⁰ in aesthetics to the realm of politics. In a judgment of taste we consider both an object of art and an

object of politics from a general point of view⁵¹ thereby abstracting from our own particular point of view. We are able to reach this general point of view by the faculty of imagination.⁵²

Eichmann's political crime, and the crime of the Nazi era generally, consisted of the effort to extinguish imagination and absolute refusal to reach an extended way of thinking. Thus, in the specific Kantian sense this era and this person could be called insane, since insanity consists of the loss of *sensus communis*⁵³ and the predominance of *sensus privatus*: the world is conceived according to the standards of the self only, and the ability to make something present which is absent, is lacking.⁵⁴ People are no longer willing to liberate themselves from private circumstances and conditions: everything is literally "*Gleichgeschaltet*". Totalitarianism with Eichmann as its fanatic instrument is the terrorist attempt to destroy the plurality of the human condition: "Total terror...substitutes for the boundaries and channels of communication between individual men a band of iron which holds them so tightly together that it is as though their plurality has disappeared into one Man of gigantic dimensions".⁵⁵

These thoughts on *sensus communis* and on judgment enable us to understand what Arendt meant with her thesis on the banality of evil as well as her final judgment on Eichmann. She agreed with the actual verdict of capital punishment, but if she had been judge, she would have motivated this verdict as follows: "You, Eichmann, supported and carried out a policy of not wanting to share the earth with the Jewish people and the people of a number of other nations as though you and your superiors had any right to determine who should and who should not inhabit the world. Just as you supported such policy, we find that no one, that is, no member of the human race, can be expected to want to share the world with you and that is the reason, and the only one, you must hang".⁵⁶

According to Arendt, Eichmann was put to trial and condemned to death, not for his crimes against the Jewish people, but because of his crimes against the human status. He, and totalitarianism with him, was not a "*hostis Judaeorum*", not an extreme example of age-old anti-Semitism, but a "*hostis generis humani*".⁵⁷ He violated that which makes a plurality of human beings and communities possible, the *sensus communis*. He contributed to the attempt to annihilate the human cosmopolitan condition.⁵⁸ Eichmann is guilty of a crime against mankind's very nature.⁵⁹ Therefore he should have been put to trial and sentenced before an international criminal court of justice instead of before a tribunal that represent one nation only.⁶⁰

Radical Evil and *Sensus Communis*

Despite Arendt's illuminating observations and clear analyses, I agree with Allison's comment that in her book she did not really pursue the question of individual responsibility for criminal thoughtlessness such as Eichmann showed. This might be due to the anti-metaphysical thrust of her book.⁶¹ The book may well be an adequate description of evil, perhaps even in its banality, but the lack of *sensus communis* can, in my opinion, hardly explain the occurrence of evil. By way of conclusion I would like to elaborate on this. In order to do so I return to *Eichmann in Jerusalem* for the last time asking whether a well-functioning *sensus communis* would have prevented Eichmann from committing his crime. The answer can only be affirmative, if the concept of *sensus communis* would imply the respect of the plurality of human beings and everybody's cosmopolitan right to existence. But does it really? Does *sensus communis* necessarily have that meaning? Why could it not just mean the common sense of a given society, e.g.

the one Eichmann lived in? One of the frightening facts that emerged during the trial was the moment in which Eichmann declared that the most potent factor that soothed his conscience was the simple fact that he could see no one, no one at all, who was against the Final Solution. Apparently, as Arendt writes, "evil in the Third Reich had lost the quality by which most people recognize it – the quality of temptation." The law of Hitler's land demanded that the voice of conscience no longer said: "Thou shalt not kill", but "Thou shalt kill".⁶² Even if Eichmann had enlarged his thought and put himself in the place of the ones belonging to what he considered "his society", he would not have encountered other opinions. The prevailing German *sensus communis* of the time would have underlined the rightfulness of his acts rather than the contrary. Reference to *sensus communis* would then have added to the defense: Eichmann just carried out the moral convictions of his society, brought to him by common sense. And Eichmann's lawyer, Servatius, would then have rightfully argued that Eichmann committed acts for which you are decorated if you win and go to the gallows if you lose.⁶³

The problem we are confronted with here is not so much the problem of the sense, but rather of the "common", namely the determination of who does and who does not belong to the community. According to Nazi ideology the Jews do not belong to the human community and their voice should therefore not be part of common sense. Now, the undesirable conclusion that common sense contributed to the crimes rather than preventing them can be avoided either by extending the meaning of the *sensus communis* beyond any given historical common moral conviction so that it includes all members of the human community, or by giving it up all together as the source of knowledge of good and evil. As we can see by Shira Dossa's unsuccessful attempt to rescue the concept of

sensus communis by arguing along the first line⁶⁴, only the second option remains open.

Following the lines of Arendt's interpretation, Dossa argues that in this particular situation not only was Eichmann's individual *sensus communis* silenced, so was that of the Nazi society as a whole. In this case, the *sensus communis* of the society as a whole was transformed into a collective *sensus privatus*, which is, as we have seen, a collective insanity. This then would explain Eichmann's problem that he did not encounter anyone who objected to the Final Solution. In the proper sense the public realm in Nazi Germany was no longer political. Unfortunately, Eichmann did not realize that he was not participating in normal politics.⁶⁵ This attempt to rescue the concept of *sensus communis* by arguing in favour of a collective loss of *sensus communis* in the Nazi era is only successful if one accepts the price: are we still able to convict Eichmann? How can Eichmann be held responsible for this loss of *sensus communis*? If Nazi Germany was completely insane, how could Eichmann be put to trial? Can the trial against him be anything but a political show against a symbol of the society that lost sight of all "true" *sensus communis*? For could we reasonably expect Eichmann to have extended his sense of community far beyond the boundaries of what he regarded as his community? In order to convict Eichmann, we blame him for not having taken into consideration other ideas than the ones he found in his own community alone, and we reproach him for not having respected the plural community of humans. But if this is the meaning of *sensus communis*, it functions as a categorical imperative and could be formulated as follows: always act in such a manner that under all circumstances the human plural status be respected. Such a drastic reinterpretation of *sensus communis* could no longer be grounded in reflecting on the historical facts of human beings living in plural, but would transform *sensus commu-*

nis into a moral concept, which derives its validity from practical reason rather than from the “fact” of plurality.⁶⁶ Political philosophy would lose its affinity with aesthetics and be brought back into the realm of moral philosophy. There would no longer be a need to search for a hidden, unwritten political philosophy in Kant’s writings.

Now it would seem that we have moved far away from Arendt’s understanding of Eichmann’s evil. But this is not the case. Remember Arendt’s formulation of the verdict. According to her, Eichmann deserved the death penalty because he violated the human condition; to be more precise because he carried out a policy of not wanting to share the world with other nations, “as though you and your superiors had any right to determine who should and who should not inhabit the world”. Apparently, it is not arbitrary whether this human community is constituted with or without the Jewish nation and the other nations the Nazis intended to annihilate. Arendt’s verdict is based on the moral conviction that no one has the right to decide who is to inhabit the world and who not. In this, she could have relied on Kant: no one originally has any greater right than anyone else to occupy any particular portion of the earth.⁶⁷ Arendt accepts as categorical the duty to respect the plurality of the human existence. This categorical imperative remains valid even if all human beings around us were to argue in favour of its violation. Arendt confirms this in the final pages of her book: “in the postwar trials we have demanded that human beings be capable of telling right from wrong even when all they have to guide them is their own judgement, which, moreover, happens to be completely at odds with what they must regard as the unanimous opinion of all those around them.” Perhaps Arendt wanted to avoid the metaphysical⁶⁸ implications of this statement, since this Kantian approach is immediately obscured by what follows: “Those (few) who were still able to tell right from wrong went

really only by their own judgements, and they did so freely; there were no rules to be abided by, under which the particular cases with which they were confronted could be subsumed. They had to decide each instance as it arose, because no rules existed for the unprecedented.”⁶⁹ Kant would not have written such lines. However unprecedented the situation may be, it is nevertheless accompanied by the rule that the maxim of my action must be such that I can at the same time will that it should become a universal law.⁷⁰

In connection with the last quote there is still another sense in which Arendt’s report on the banality of evil has not lost its significance. Arendt pays attention to the novelty of what happened in the Nazi era, but tries at the same time not to mythologize it. Totalitarianism confronted human beings with the possibility that a society could manipulate beliefs and convictions to an extent far beyond earlier possibilities, even beyond human imagination. For this reason, the tendency existed and still exists to mythologize the horror of the Holocaust and to deny its human origin. Perhaps it was Jaspers who taught Arendt not to do so. After having read Jaspers’s *Die Schuldfrage* she wrote him that the guilt of the Nazis transcended any juridical conceptualization: “Diese Verbrechen lassen sich, scheint mir, juristisch nicht mehr fassen. ...Das heißt, diese Schuld, im Gegensatz zu aller kriminellen Schuld, übersteigt und zerbricht alle Rechtsordnungen”. Jaspers replied that he did not quite agree. He considered it important to resist the temptation to put the Holocaust beyond human understanding or to describe the horror in terms of myths, legends and demonic forces, adding the further point that: ‘we must take things in their full banality – “Bakterien können völkervernichtende Seuchen machen und bleiben dennoch nur Bakterien”’.⁷¹ In her answer to Scholem, already mentioned, we find an echo of those words. Arendt underlines that evil is never “radical”, but

that it can spread like a fungus on the surface and thereby overgrow and lay waste the whole world.⁷² The horror of the Holocaust is not the result of demonic forces, but of the power of totalitarianism to silence morality and to overcome the animal pity by which normal men are affected in the presence of physical suffering.⁷³

Arendt, among others, teaches us the important lesson of the mechanisms that established legal, moral and spatial distances between perpetrators and victims and connected seemingly innocent actions with much belated devastating consequences. With her work, Arendt contributed to the understanding of the ambiguities of modernity, namely that there exists no straightforward relation between modernization and rationalisation of society on the one hand and morality on the other.⁷⁴

Notes

¹ I wish to thank the participants of the Arendt-symposium in Jyväskylä, November 1996, and especially Jussi Kotkavirta, Simona Forti and Tuija Parvikko. I also thank Carol Pfaff for her profound correction of my English.

² A small insight into this aspect is offered by D. May, *Hannah Arendt*, Harmondsworth 1986, 109-112.

³ H. Arendt, *Eichmann in Jerusalem. A Report on the Banality of Evil* (2nd. Ed.), Harmondsworth, Penguin, 1992 (originally 1963), 125, 282. Arendt refers here to Raul Hilberg's classic *The Destruction of the European Jews*, Chicago 1961.

⁴ H. Arendt, *Eichmann in Jerusalem*, 119 (orig. 1963: 105).

⁵ H. Arendt, *Eichmann in Jerusalem*, 287-8, 252.

⁶ R.J. Bernstein, Did Hannah Arendt Change Her Mind? From Radical Evil to the Banality of Evil, in: L. May, J. Kohn, *Hannah Arendt Twenty Years later*, Cambridge (Ma.) 1996, 127-146, 129.

⁷ I do not want to let go unmentioned here Emil Fackenheim's

rejection of Arendt's thesis on the banality of evil (in: *To Mend the World, Foundations of Post-Holocaust Jewish Thought*, Indiana 1982, 247, 237). Fackenheim writes about the single incident, which according to him clearly showed the untenability of the thesis: "The accused (Eichmann, Th.M.) had preserved a stolid composure throughout his trial. One day the courtroom was darkened and pictures of Eichmann's victims were flashed on a screen. Secretly, a camera was trained on him in the dark. Believing himself unobserved, Eichmann saw what he saw – and smirked."

⁸ In an answer to Gershom Scholem she wrote: "It is indeed my opinion that evil is never 'radical', that it is only extreme, and that it possesses neither depth nor any demonic dimension." (quoted in: H. Allison, *Reflections on the banality of (radical) evil: A Kantian analysis*, in: Idem, *Idealism and Freedom*, Cambridge UP, 1995, 169-182, 169.

⁹ H. Arendt, *The Life of the Mind, One: Thinking*, London 1978, 3-5. The second reason for being interested in mental activities was the wish to reflect on the counterpart of the *vita activa*, which she depicted in *The Human Condition*.

¹⁰ H. Arendt, *Eichmann in Jerusalem*, 136; Because of the precarious character of the remark I also quote: Dov B. Schmorak, *Der Prozess Eichmann*, Wien, Hans Deutsch Verlag, 1964, 142: "daß das Prinzip des Wollens und Strebens des einzelnen "so sein muß, daß es jederzeit zum Prinzip einer allgemeinen Gesetzgebung erhoben werden könnte"".

¹¹ M. Pearlman, *The Capture and Trial of Adolf Eichmann*, London, Weidenfels and Nicolson, 1963, 533. Quoted by J. Silber, Kant at Auschwitz, in: G. Funke, Th. Seebohm (ed.), *Proceedings of the Sixth International Kant-Congress*, Vol. 1, Washington 1991, 184. In the rendering of D. Schmorak, *Der Prozess Eichmann*, 142: "Nein, das in keiner Weise ... Ich meinte damit, mit der, mit der, mit dem Leben nach dem Kantschen Grundsatz, soweit ich Herr über mich selbst bin und mein Leben nach meinem Wollen und nach meinen Wünschen einrichten kann"; H. Arendt, *Eichmann in Jerusalem*, 136.

¹² Because of the precarious character of what is said I quote the original as I found it in: D. Schmorak, *Der Prozess Eichmann*, 143; H. Arendt describes this episode in: *Eichmann in Jerusalem*, 136.

- ¹³ H. Arendt, *Eichmann in Jerusalem*, 136.
- ¹⁴ With this remark Arendt adds to the myth that the Nazi horrors were due to the servile mentality of the Germans. In his widely discussed *Hitlers Willing Executioners: Ordinary Germans and the Holocaust*, New York 1996, D.J. Goldhagen rightly remarks that such mentality could certainly not have been found in the Weimar-republic.
- ¹⁵ H. Arendt, *Eichmann in Jerusalem*, 137.
- ¹⁶ I. Kant, *Beantwortung der Frage: Was ist Aufklärung*, Akademie Ausgabe (=AA) Bd. VIII, 41; H. Reiss (Ed.), *Kant's Political Writings*, Cambridge UP 1970, 59.
- ¹⁷ I. Kant, *Über den Gemeinspruch*, AA VIII, 299; *Kant's Political Writings*, 81.
- ¹⁸ I. Kant, *Die Metaphysik der Sitten, Rechtslehre*, AA VI, 319; *Kant's Political Writings*, 143; Or look at the following (320): "Der Grund der Pflicht des Volkes einen, selbst den für unerträglich ausgegebenen Mißbrauch der obersten Gewalt dennoch zu ertragen liegt darin: daß sein Widerstand wider die höchste Gesetzgebung selbst niemals anders als gesetzwidrig, ja als die ganze gesetzliche Verfassung zernichtend gedacht werden muß".
- ¹⁹ I. Kant, *Die Metaphysik der Sitten, Rechtslehre*, AA VI, 322-3; *Kant's Political Writings*, 147.
- ²⁰ I. Kant, *Die Metaphysik der Sitten, Rechtslehre*, AA VI, 371, I. Kant, *The Metaphysics of Morals* (ed. M. Gregor), Cambridge UP, 1991, 176.
- ²¹ I. Kant, *Die Religion innerhalb der Grenzen der blossen Vernunft*, AA V, 99n; I. Kant, Religion within the boundaries of mere reason (Tr. by G. Di Giovanni), in: I. Kant, *Religion and Rational Theology*, (in: The Cambridge Edition of the Works of Kant, ed. P. Guyer, A.W. Wood), Cambridge UP 1996, 134n.
- ²² I. Kant, *Kritik der praktischen Vernunft*, AA V, 155-6. According to J. Silber (Kant at Auschwitz, 211) Kant would give another example had he to write this *Kritik* anew. He would probably have chosen the story G. Weisenborn told in his *Der lautlose Aufstand*: Two boys are drafted for the SS at the end of the war, but they refuse to sign up. They are sentenced to death and this is what they wrote at their families: "we two would rather die than burden our conscience with such terrible

things. We know what the SS must carry out". Arendt mentions this story too: *Eichmann in Jerusalem*, 104.

²³ G. Patzig, Die logischen Formen praktischer Sätze in Kants Ethik, in: Idem, *Ethik ohne Metaphysik*, Göttingen 1971, 109.

²⁴ I. Kant, *Grundlegung zur Metaphysik der Sitten*, 421, 403 (using Paton's translation).

²⁵ I. Kant, *Grundlegung zur Metaphysik der Sitten*, 448.

²⁶ I. Kant, *Beantwortung der Frage: Was ist Aufklärung*, AA VIII, 35; *Kant's Political Writings*, 54.

²⁷ Here I rely on: J. Ebbinghaus, Deutung und Mißdeutung des kategorischen Imperativs, In: *Gesammelte Aufsätze, Vorträge und Reden*, Hildesheim, Olms 1968, 87-8.

²⁸ Kant, *Grundlegung zur Metaphysik der Sitten*, 421, 429; See: H.J. Paton, *The Categorical Imperative. A Study in Kant's Moral Philosophy*, Philadelphia 1947, 133, 165.

²⁹ I. Kant, *Über den Gemeinspruch*, AA VIII, 292; *Kant's Political Writings*, 75: "weil er dadurch sich selbst des Rechts, einen Contract zu machen berauben, mithin dieser sich selbst aufheben würde".

³⁰ In this context it is relevant to remember the story Hans Jonas wrote: "When in 1945 I reentered vanquished Germany as a member of the Jewish Brigade in the British army, I had to decide whom of my former teachers in philosophy I could in good conscience visit, and whom not. It turned out that the "no" fell on my main teacher (Heidegger, Th.M.), who by the criteria which then had to govern my choice had failed the human test of time; whereas the "yes" included the much lesser figure of a rather narrow traditionalist Kantian persuasion, who meant little to me philosophically but of whose record in those dark years I heard admirable things. When I did visit him and congratulated him on the courage of his principled stand, he said a memorable thing: "Jonas", he said, "I tell you this: without Kant's teaching I couldn't have done it." Quoted in Emil Fackenheim, *To mend the world, Foundations of Post-Holocaust Jewish Thought*, 269 n.

³¹ H. Arendt, *Eichmann in Jerusalem*, 285

³² H. Arendt, *Eichmann in Jerusalem*, 263, 264, 267-8, 283, 286, 288; 275: a crime that could not be explained by any utilitarian purpose.

- ³³ H. Arendt, *The Origins of Totalitarianism*, 459; Compare H. Arendt, *The Human Condition*, Chicago 1958, 241.
- ³⁴ H. Arendt, *Eichmann in Jerusalem*, 276
- ³⁵ H. Arendt, *Eichmann in Jerusalem*, 114.
- ³⁶ H. Arendt, *Eichmann in Jerusalem*, 287-8.
- ³⁷ H. Arendt, *Eichmann in Jerusalem*, 49.
- ³⁸ H. Arendt, *Eichmann in Jerusalem*, 85, 108.
- ³⁹ H. Arendt, *Eichmann in Jerusalem*, 252. Arendt's answer to Scholem (quoted in: H. Allison, Reflections on the banality of (radical) evil: A Kantian analysis, 169.
- ⁴⁰ H. Arendt, *Eichmann in Jerusalem*, 47, 49.
- ⁴¹ Cnf. H. Allison, Reflections on the banality of (radical) evil: A Kantian analysis, 172.
- ⁴² I. Kant, *Idee zu einer allgemeinen Geschichte in weltbürgerlicher Absicht*, AA VIII, 27; *Kant's Political Writings*, 50.
- ⁴³ But not as its head, I. Kant, *Grundlegung zur Metaphysik der Sitten*, 433.
- ⁴⁴ H. Arendt, *Lectures on Kant's Political Philosophy* (Ed. R. Beiner), Sussex, Chicago 1982, 27-28.
- ⁴⁵ H. Arendt, *Lectures on Kant's Political Philosophy*, 13. Compare: "Annehmlichkeit gilt auch für vernunftlose Tiere; Schönheit nur für Menschen, ...; Das Gute aber für jedes vernünftige Wesen überhaupt" (*Kritik der Urteilskraft*, AA V, 210).
- ⁴⁶ H. Arendt, *Lectures on Kant's Political Philosophy*, 27.
- ⁴⁷ H. Arendt, *Lectures on Kant's Political Philosophy*, 71.
- ⁴⁸ H. Arendt, *Lectures on Kant's Political Philosophy*, 40.
- ⁴⁹ H. Arendt, *Lectures on Kant's Political Philosophy*, 43, 49. It is not clear how Arendt conceptualizes the relation between *sensus communis* and imagination. This point is very interesting and connected with her interpretation of crucial passages in *Kritik der Urteilskraft*. I will not go into detail here, but restrict myself to the following: on the one hand Arendt calls imagination a "faculty", which enables the enlargement of the mind, suggesting that *sensus communis* results from imagination. On the other hand it seems as if *sensus communis* enables us to enlarge our mentality by means of imagination and reflection. Yet the entire appendix to the *Lectures* is devoted to imagination, with reference to the account of the

Schematism in the *Kritik der reinen Vernunft*, H. Arendt, *Lectures on Kant's Political Philosophy*, 43, 73, 79-85.

- ⁵⁰ Reflective judgment as distinguished from determinant judgment. In judging determinantly, we apply general concepts, provided by reason (in the broad sense: as “*Verstand*” and “*Vernunft*” together). In judging reflectively we deal with particulars. We have to find the relevant general concept by reflecting on these particulars. For example, when we call a rose beautiful, this judgment is not the result of applying the general concept “beauty” to this rose, but of reflecting on different beautiful things (which is, as I am aware, an ambiguous way of formulating things). Only in this reflective mode does “judging” really takes place, according to Arendt. An interesting account of the background of this conviction can be found in: A. Wellmer, Hannah Arendt on Judgement: The Unwritten Doctrine of Reason, in: *Endspiele: Die unversöhnliche Moderne*, Frankfurt am Main 1993, 309-329.
- ⁵¹ I deliberately call this viewpoint (with H. Arendt, *Lectures on Kant's Political Philosophy*, 44) “general” and not universal, because this viewpoint refers to the community of human being and not the community of rational beings. Purely moral philosophy should according to Kant go further and reach a universal point of view by excluding any anthropological findings; see e.g. I. Kant, *Grundlegung zur Metaphysik der Sitten*, 390-1.
- ⁵² H. Arendt, *Lectures on Kant's Political Philosophy*, 43: According to Arendt this would mean adopting the position of Kant's world citizen.
- ⁵³ H. Arendt, *Lectures on Kant's Political Philosophy*, 64, 71 with reference to Kant's *Anthropologie in pragmatischer Hinsicht*, AA VII, 219.
- ⁵⁴ H. Arendt, *Lectures on Kant's Political Philosophy*, 64-5. Also: H. Arendt, *Eichmann in Jerusalem*, 277.
- ⁵⁵ H. Arendt, *The Origins of Totalitarianism*, 465-6.
- ⁵⁶ H. Arendt, *Eichmann in Jerusalem*, 279
- ⁵⁷ H. Arendt, *Eichmann in Jerusalem*, 261.
- ⁵⁸ H. Arendt, *Lectures on Kant's Political Philosophy*, 75-6, with reference to Kant's *Zum ewigen Frieden* which, in its third definitive article, emphasizes the cosmopolitan right, i.e. the

right of every stranger not to be treated with hostility when he arrives on someone's else territory. This right is based on the original right of all men to communal possession of the earth.

⁵⁹ H. Arendt, *Eichmann in Jerusalem*, 268

⁶⁰ Nevertheless Arendt admired the judges for not allowing themselves to be accused of holding a show-trial in favour of the Jewish nation. They rightfully concentrated on the accused and his deeds.

⁶¹ H. Allison, Reflections on the banality of (radical) evil: A Kantian analysis, 173.

⁶² H. Arendt, *Eichmann in Jerusalem*, 116, 150; A macabre confirmation of this can be deduced from the three case-studies (of police batalions, Jewish labour, death-marches) in Goldhagen's *Hitler's Willing Executioners*.

⁶³ H. Arendt, *Eichmann in Jerusalem*, 22.

⁶⁴ S. Dozza, Hannah Arendt on Eichmann: The Public, the Private and Evil, in: *The Review of Politics* (46) 1984, 173-4

⁶⁵ S. Dozza, Hannah Arendt on Eichmann: The Public, the Private and Evil, 173-4.

⁶⁶ H. Arendt, *The Human Condition*, 7

⁶⁷ I. Kant, *Zum ewigen Frieden*, AA VIII, 358; *Kant's Political Writings*, 106.

⁶⁸ Metaphysics not in the sense of deducing morality from a doctrine on being, but in the Kantian sense of an ethics which is originally metaphysical: I. Kant, *Grundlegung zur Metaphysik der Sitten*, 388

⁶⁹ H. Arendt, *Eichmann in Jerusalem*, 294-5.

⁷⁰ I. Kant, *Grundlegung zur Metaphysik der Sitten*, AA IV, 421

⁷¹ *Hannah Arendt – Karl Jaspers Briefwechsel*, 1926-1969, (ed. L. Kohler, H. Saner), München, Zürich 1985, 90, 98-9.

⁷² Arendt's answer to Scholem, quoted in: H. Allison, Reflections on the banality of (radical) evil: A Kantian analysis, 169; Also in: R. Bernstein, Did Hannah Arendt Change Her Mind?, 131.

⁷³ H. Arendt, *Eichmann in Jerusalem*, 106; see also: *The Origins of Totalitarianism*, 447-57.

⁷⁴ Z. Bauman's important *Modernity and the Holocaust* (Cambridge 1993) draws some of the consequences implicitly present in *Eichmann in Jerusalem*.

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