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From Early Warning to Genocide Prevention:	
Contributions to Preventing Genocide and Mass Atrocities.....	5
<i>Richard Sobel (Northwestern University and Harvard University)</i>	
Giudicare le questioni morali in una società multiculturale.....	43
<i>Paola Villano & Stefano Passini (Università di Bologna)</i>	
Morality in Extreme Situations:	
Orienting Oneself with the Example	55
<i>Natascia Mattucci (University of Macerata)</i>	
Polifonia transdisciplinare e cultura: un approccio storico	83
<i>Casimira Grandi (Università di Trento)</i>	
Authors - Auteurs - Autori	101
Summaries - Résumés - Sommari	105

Morality in Extreme Situations: Orienting Oneself with the Example

Natascia Mattucci
University of Macerata

1. Introduction

This reflection begins with the industrial-administrative massacre implemented by European society during the twentieth century as the result of a thanatopolitical desire for social rationalization and medicalization in which anti-Semitic racism and its legalization were the ideological glue. The space between an ideological system with a racial matrix and its implementation took advantage of an enormous bureaucracy that transformed racist principles into an ordinary process of problem solving. What made the technical and political totalitarianism possible, generating deadly bureaucratic structures, was the collaboration of individuals who had carried out their work in a mild system of "mediality" that obliterated awareness into the conscientiousness with which they performed a given task. Within the Nazi regime, morality had gone down, losing consistency as if it were an empty set of *mores* – uses and modifiable customs with boldness – not because they were criminals, but ordinary people skated "on the surface of events" and were unable to discriminate between right and wrong, without feeling the consequences of what they did. Here the need to reflect upon the state of moral propositions in extreme situations and on the possibility of having some kind of orientation in situations that could diminish the ability to discriminate. While most people allow themselves to be dragged away by the currents of credulity, those who escape this process thanks to conscious thought show that propositions like "do not kill" continue to be self-evident only to those who want to continue to live in the company of themselves, thus giving depth to existence.

Preventing ourselves from doing evil can be done through solitary thought or through a judgment that considers others, for example choosing whose company we want to be in without letting the circumstances do it for us, and making decisions inspired by the acts of exemplary people.

2. Starting from the Eichmann case*

This analysis of morality in extreme situations will be conducted mainly, though not exclusively, with the support of reflections that Hannah Arendt devoted to this moral issue after the Eichmann trial. In the introduction to *Thinking*, the first volume of *The Life of the Mind*, Arendt reveals that her interest in spiritual activities (*Thinking, Willing, Judging*) was suddenly stimulated by the Eichmann trial in Jerusalem. Her inquiry into thought moves from a concrete episode and from a report that the philosopher offers in her work *Eichmann in Jerusalem: A Report on the Banality of Evil*, a statement that goes in a different direction from the traditional idea that considers evil, seen as something demonic, as its own subject for reflection [Kristeva, 1999, 233]¹. The reasons for the scandal caused by this text, which some consider to be the main philosophical contribution to the problem of evil in the twentieth century, can be recognized in a discrepancy between subjective factors and objective crimes, between intention and the extent of evil, malice and responsibilities [Neiman, 2002, Ital. transl. 2011, 258]. Arendt's report is essential in highlighting what makes Auschwitz an emblem of contemporary evil, insofar as it points out the possibility that unprecedented crimes are committed by individuals whose intentions are pale in comparison to the effects of such evil [*ibid.*, 259]. To make Auschwitz a paradigm for rethinking the idea of evil is not a matter determined by the degree of intensity of the suffering (at these levels, there are no units of measurement) or of a numerical comparison of the victims. We may

* Part of the contents of this paper appeared in Mattucci [2012]. The revision of the English translation of this article was checked by Paul Buono.

¹ Regarding the relationship between Eichmann in Jerusalem and *The Origins of Totalitarianism* see also Kateb [1984, 73].

rather wonder about the elements that gave this event their feeling of unprecedented devastation, and must reflect on the lack of conceptual resources and the intellect's impossibility to react. It is in the wake of this question that Arendt's account appears as an essential key to understanding evil in the twentieth century. It is not a matter of whether totalitarianism is the greatest evil on a scale of intensity, against which the other evils of the century are compared. The greatest inherent danger in the identification of totalitarianism as the curse of the century lies precisely in being obsessed over it to the point of becoming blind to the many lesser, and not so minor, evils which pave the road to hell [Arendt, 1994, Ital. transl. 2003, 45].

What the author is faced with, witnessing a trial held in Jerusalem, is something different from a criminal who has personal characteristics typical of wickedness. Arendt was struck by the superficiality of the offender, which made it impossible to bring the undeniable evil of his actions to a deeper level of causes or motivations. Even if the acts were monstrous, the actual perpetrator who was in the glass booth was extremely ordinary, mediocre, and far from being demonic or monstrous [Arendt, 1978, 4]. The Eichmann trial did not reveal a monstrosity or sadism of the accused, but the "normality" of the man who had been one of the specialists of the "final solution". The question that Arendt seeks to answer, misrepresented at the time of the trial as a desire to minimize the Nazi atrocities, is about the relationship that exists between the normality of individuals and their inability to judge, as well as how to evaluate their crimes. These are questions that are not only found in this specific case, but that lend themselves to reflections that concern the absence of judgment in general and awaken moral issues.

Before reflecting on some thematic lines that structure the text of *Eichmann in Jerusalem*, it is necessary to consider the lines of the work *The Life of the Mind* in which Arendt draws the main theoretical lines of the report on Eichmann and recalls them from a distance condensing them into a few pages. Regarding the personality of the accused, she points out that the past behavior of the accused and that held during the trial did not show signs of him possessing firm ideological convictions or evil but something else entirely negative such as the absence of thought [*ibid.*] This deficiency was demonstrated through his use of a language dominated by *clichés*, by

phrases that seemed to replicate the uniforming procedures that were used by the Nazi regime in prisons, where the defendant appeared to be at ease. What does Arendt mean by thought that relates to reality only through the filter of *cliché*? As she states, it is an adherence to the codes of expression and conventional and standardized conduct that serves to protect from the impact of reality, that is, the claim that all events and all facts, by virtue of their existence, advance to the attention of our thoughts. What keeps Eichmann apart from the rest of humanity is the fact that he ignored it completely. In the framework of Arendt's philosophy, one could argue that the distance of Eichmann from his own thoughts seems to be the measure of the individual's absence from the world, as reported by the linguistic forms he used, typical of a code borrowed from the administrative sphere. These are words that have lost their ability to reveal things, and that, on the contrary, contribute to forming a sort of defensive wall between thought and reality, as if we could protect ourselves from reality through pre-established formulas [Roviello, 1987, 187-189].

This *thoughtlessness* stimulated Arendt's interests concerning the possibility of committing villainy in the absence not only of vile motives but of motives *tout court* [Arendt, 1978, 4]. Is it plausible that cruelty is not a necessary condition for evil? What effects does the disconnection between intention and evil induce on the formulation of the idea of responsibility? The attempt to provide a possible answer to these and other questions that affect the relationship between the action and the person who accomplishes it, as well as that between the faculty of judgment and discernment between good and evil, leads us to the work of *Eichmann in Jerusalem* [Arendt, 1965, Ital. transl. 2003, 9]. When reporting phases of the Eichmann trial and outlining the characteristics of the court and the accused, Arendt highlights from the outset a peculiarity of the Nazi legal system that evokes a classic difference between law and justice, as well as between the legal and the moral sphere: according to the legal system of the Nazi period, Eichmann had committed no crime but only actions for the State (subtracted to the judgment of foreign States) for which he had the obligation of obedience [*ibid.*, 30]. Respect of the law in the external form of obedience would result in a legal shield to the question of the morality of actions. Reading this essay in parallel with some lessons

written more or less at the same time and dealing with questions of moral philosophy reveals Arendt's conviction that the moral question, fallen into oblivion for many years, had instead re-emerged owing to the trials against war crimes that followed the Second World War. The legal proceedings had forced everyone, including political scientists, to watch the whole thing from a moral point of view [Arendt, 2003]. These trials raised the issue of bestowing guilt and individual responsibility on those who had played a role in a bureaucratic machine, even when only as a mechanism of a larger system.

In her report Arendt gives us the image of an "ordinary" man, who obeyed what he was told with great zeal and haste and could not even be called a fanatic anti-Semite. The judges preferred to think of a more deceitful attitude which questions the findings raised by the legal and moral case: namely that an ordinary person, neither indoctrinated nor cynical, could be so incapable of distinguishing right from wrong. The judges, says Arendt, took it for granted that the accused had acted, like all the "normal" people, aware of the crimes committed. And, in fact, Eichmann did not represent an exception in Nazi Germany. The problem is that in such a context only "exceptions" could behave "normally" [Arendt, 1965, Ital. transl. 2003, 34]. In Nazi Germany the accused had found a promising career through adherence not to faith-based ideology, but repeating *clichés* that showed a herd mentality and a desire to be a member of a particular organization. Sarcastically Arendt points out that during interrogations Eichmann started a fight against German language, by which he was invariably defeated. The language he used belonged to bureaucratic jargon (a standardized code of expressions) and there was an inability to pronounce words that were not repetitions of set phrases. The personal trait highlighted here is the inability of the accused to express himself, linked to an inability to think, namely to see things from the point of view of others. It was impossible to communicate with him, not because he lied but because words and the presence of others, and therefore reality in itself, had never occurred to him [*ibid.*, 56-57].

In a moment of crimes legalized by the State, the moral imperative of Kant, which considers man's faculty of judgment as "that faculty which excludes blind obedience" to the fore had been distorted into "act as if the principle of your actions were that of the

legislator or the law of your country". It was a sort of categorical imperative of the Third Reich in which the individual's will, instead of blending with practical reason, identified with the will of the legislator (throughout the trial he tried to explain several times that the words of the *Führer* had the force of law). Eichmann's distortion therefore concerns the formulation of the first categorical imperative: the possibility that an individual moral sentiment may be raised to the status of universal law. If a moral law can be obeyed not for a particular reason, but just because it is a law, then the moral claims cannot be linked to the idea of good but only to pure duty [Laustsen and Ugilt, 2007, 167]². The accused's exclusive use of formal moral formulas is further confirmation of his lack of openness to questioning meaning [Roviello, 1987, 190-191]. Within a system of this type, in most people evil seems to have lost the characteristic that enables the ability to recognize it, which is the property of temptation [Arendt, 1965, Ital. transl. 2003, 156-157]. Probably, as Arendt recalls, many Germans and many Nazis, perhaps even the vast majority, must have been tempted not to kill, not to steal, not to send their neighbors to die and must have been tempted not to take advantage of these crimes and not to become accomplices. But probably they had learned well to resist these temptations.

The Eichmann trial shows that in the presence of a collective moral disintegration, the categorical imperative can degenerate to the point of a union between pure practical reason, which the will

² "The distortion Eichmann makes of Kantianism is therefore not simply one of misinterpretation; nor is it one of simply defecting from various crucial tenets within Kant's moral philosophy (although it might justly be argued that Eichmann indeed does both). The real challenge of Eichmann's Kant is found in the idea that Eichmann in a sense establishes an actual fulfillment of the project of Kantian moral philosophy. He successfully integrates the universal moral law in the particular and phenomenal (in the figure of the *Führer*), thus allowing reason to come to terms with itself as practical reason. Eichmann thereby gives us a second challenge to Kantian moral philosophy, the first being the problem of how reason is able to become actualized in the phenomenal world once we have accepted that the categorical imperative is the adequate expression of the will as guided by reason. The second challenge of Eichmann, on the other hand, tells us that once we have established a way for reason to come to terms with itself as a functioning practical reason in the phenomenal world, we are exactly not morally secured" [ibid.].

should conform to, and the legal strength of the words of the *Führer*. Unthinking and conformist adherence to a law that is unconditionally obeyed exemplifies the absence of laceration, the lack of two-in-one that, in extreme situations, can keep one from doing evil [Fistetti, 2007, 78-79]. As noted in this regard, practical reason seems to be replaced at any moment by the voice of a respectable society, the voice of the silent majorities entrusted to its intellectuals/interpreters or by the voice of the dominant ideological apparati (originating from the press or religious institutions) that claim to embody the views of society. This leads Arendt to abandon the concept of ideological fanaticism as the keystone priming the origin and workings of the totalitarian regime. Since Eichmann, we have learned that it is through conscience that the voice of God, humanity along with its customs, and shared *clichés* may speak. When this happens we are not faced with the triumph of criminals or negative heroes, but instead we are dealing with an ordinary man, an "anyone," not necessarily bad but capable of infinite evil because he never encounters his true self [*ibid.*, 85]. The consciousness of Eichmann, reflecting the customs of his time, is an example of the "good society" that shows, in time of ethical collapse, the meaning of what morality has become: a set of habits and behaviors that may be changed with the speed of opinions [Forti, 2002, 35].

One of the many issues not adequately raised during the trial relates to the new type of criminal associated with this new type of crime. Although a portrait of the monstrous figure of Eichmann would have been of some comfort, the trial realistically pointed out that there were many people like him and that they were neither twisted nor sadistic, but they were, and still are, terribly ordinary [Arendt, 1965, Ital. transl. 2003, 282]. This is a normalcy that transcends any notion of atrocity and that brings a criminal who commits his crimes in contexts and situations that prevent the perception of such evil. Focusing on one part of the *Human Condition*, stated in the Appendix of *Eichmann in Jerusalem*, Eichmann was not thinking about what he was doing, and this lack of thought and ideas made him an individual prepared to become one of the greatest criminals of that period. This lack of depth, even in the traditional meaning given to that essence of demonic evil may seem trivial, but not for this reason is it common or unavoidable. The distance from reality and the absence of thought may have

implications far more dangerous than any innate wickedness. The superficiality of the absence of thought, combined with the loss of reality, is the sign of a gap between the incommensurability of extreme evil and the banality that characterizes the figure of one of its perpetrators. As clarified by the letter in response to criticism from Scholem, Arendt had stopped thinking about evil as something radical, as was the case in her book on totalitarianism, but she saw it as something only extreme because it appears without depth [Arendt, 1964, Ital. transl. 1993, 227]. It is a disease that spreads like a fungus on the surface and challenges thought, because thought attempts to penetrate depth, to go to the roots, and when looking for evil it becomes frustrated because it does not find anything. In an exchange of letters concerning the commensurability of a crime, her mentor Jaspers had argued, with a naturalistic metaphor, that bacteria could cause epidemics able to wipe out entire populations, in spite of them being only bacteria and nothing more [Arendt and Jaspers, 1989, 71]. In the case of guilt then, things are to be traced back to simple banality.

Its purpose is not to provide a scientific explanation for evil, as the use of natural vocabulary might suggest, but to assume its novelty and distance from modern tradition starting from a lexicon that reacts to a danger that manifests its pitfalls in a subtle and trivial way [Neiman, 2002, Ital. transl. 2011, 286-287]. The bacterial allegory then seems to indicate that evil can take the form of an object without any intention, as evidenced by the discrepancy between the extent of the crime and the low intensity of the causes. The thesis that evil is banal does not place the emphasis on magnitude but on proportion, if such great crimes may result from causes so small, there may be hope to overcome them [*ibid.*]. It has been observed how the reversal of perspective from a vision of radical evil, with reference to the non-classifiable nature of crimes produced by regimes that have sought nullification of human beings described in *The Origins of Totalitarianism*, into a vision of evil as epidermal and bacterial, represents an approach towards or perhaps a sign of the influence exerted by Jaspers' Kantian thesis on his student [Pranteda, 2002, 181]. This proximity would be visible mainly in the changed point of view that Arendt, since the Eichmann case, assumes when looking at evil: it is not the set of events to stand in the foreground, but the judgment of any individual who has been a participant in

total extermination. Referring to this change of perspective, Jaspers himself said to Arendt that she had placed herself on the side of a Kant who denies the demonic nature of man [Arendt and Jaspers, 1989, 204].

Among the conditions of the existence of a totalitarian Nazi experience, Arendt places the atrophy of thought of those dull individuals who are unable to incorporate the sense and the presence of the world in their judgments and actions. Eichmann's normality seems to be the expression of being subordinate to historical processuality, typical of the modern world, that only the faculty of judgement, the ability to suspend processes and move away from them, may break. Eichmann's lack of judgment manifests itself in the inability to bring back his unique relationship with the world, including both events and individuals, to a regulative principle or a universal rule. Evil therefore seems to be located in this void of thought, in this anesthesia of subjectivity that protects itself from the impact of events. The collective participation of individuals in this interruption of judgment, being an evasion from experience, becomes susceptible to the possibility of evil. Not being able to think and feel evil seems to facilitate the opportunity to commit evil. As is clear from a passage in the work *The Life of the Mind*, not thinking and sheltering one's self from the dangers of reflection teaches us to follow any rule of conduct in force at any given time and in a given society. In the end, that which people become accustomed to is not the content of the rules, a careful examination of which would lead them gradually to have doubts, but the *possession* of rules under which to subsume particular cases [Arendt, 1978, 177].

It is worth delving into a statement from one of Eichmann's speeches, which seems to epitomize the Nazi bureaucratic machine. Crimes against humanity perpetrated against the Jewish people collectively appeared as "administrative massacres" committed in a system with highly refined procedures that included a fragmentation of tasks and responsibilities. There were many cogs involved in the gears of the great machinery that was the final solution, each with a different level of responsibility. This is not to justify or mitigate the responsibility, but on the contrary to point out that when reference is made to a crime every part of the system contributes to achieve the same goal, no matter how unaware, and has to take responsibility for it. One cannot appeal to the dehumanization created by the

bureaucratic totalitarian apparatus, ordered to turn men into officials and simple mechanisms of the system, nor can one even appeal to the irresponsibility of those who act under the influence of deterministic forces. Even if the given context can, more or less voluntarily, turn anyone into an instrument of destruction, according to Arendt the fact remains that politics cannot be an asylum: in politics, obedience and support are the same thing. Therefore following orders is equivalent to supporting a policy of extermination [Arendt, 1965, Ital. transl. 2003, 284]. The crime committed by Eichmann is then to have supported a policy whose meaning was to not live harmoniously together on this planet with the Jewish people and others, as if we had the right to determine who should and who should not have the right to exist.

In addition to the remarks of political and legal nature already highlighted, this case, as well as other trials held after the war against Nazi war criminals, seemed to raise at least two orders of moral problems: on the one hand, retroactively affecting the issue of human judgments, on the other hand contributing to reformulate the conceptual knot that was entangled around individual responsibility. Within a frame of authorized crimes, in which the ability to distinguish right from wrong may be compromised, and reason may be lost by a community who acts and judges as if it were a single person, the few who retain a capacity for moral discernment exert it in solitude. Those who were able to distinguish right from wrong did so freely but completely by themselves, in the sense that they could not observe the general criteria because there were no rules for such unprecedented acts.

Those who succeeded in judging, exerted this right without having any reference and acted spontaneously.

The inability to think about what one is doing is a clear sign of detachment from reality, but does not emancipate one from having to answer for what they did. However, we are also responsible, according to Arendt, for the irresponsibility that accompanies every action. As some have pointed out, in order not to respond to what we do, our thought must create a vacuum. It must therefore evacuate that otherness which would otherwise allow a critical examination, an internal dialogue with ourselves [Roviello, 1987, 192-193]. This is a two-in-one, typical of the solitude, in which we reproduce a kind of plurality which disappears in moments of alienation and in every

situation in which we lose touch with ourselves. When the two-in-one is perverted into a kind of miniature unanimity we begin to walk the path towards irresponsibility. Both thought and discernment between good and evil require contact with the world, and it is from the impact of experience that one assumes responsibility. In this perspective, not thinking about what we are doing is the mode that exempts us from accountability and in turn opens up the possibility of extreme evil. In light of these considerations, that feeling of unreality and irreversible inevitability that surrounds the totalitarian system, as if it were something that happened without the awareness of the perpetrators and victims, seems to acquire more precise contours. Radical evil seems then beyond the limits of understanding and communication, as an impossible experience implemented by individuals unable to manifest that experience in their judgment and, therefore, to assume responsibility for it. In an apparent paradox, evil presents as much radicalness as lack of depth, being able to glide on the surface of events [*ibid.*]³.

According to Arendt, thinking and remembering are ways to take your place in the world and take root in it. Doing evil is a way to deteriorate this ability to rethink about what has happened, recalling events in preparation for communicating them to others; «the same is of course even truer if the topic of my silent consideration happens to be something I have done myself» [Arendt, 2003, 94]. To prevent a crime from being exposed, the best way is to forget about it, on the contrary repentance is a way to remember, «returning to it» [*ibid.*]. Thinking, remembering, and the nature of evil are closely related: we can only remember something that we have thought and talked about with ourselves. Thought and memory can hold and put limits on what we can do. In this frame of mind, «What we usually call a person or a personality, as distinguished from a mere human being or a nobody, actually grows out of this root-striking process of thinking» [*ibid.*, 100]. Extreme evil, in the sense of radical evil, is possible when the roots of the ego, which must limit its possibilities, are absent, since humans are unable to show depth. In order to not remain on the surface of the world, depth can be achieved only through the internal dichotomy, the two-in-one in which each of us can ask

³ Concerning this point see, among others, M. Revault d'Allonnes [1998, 8-24].

questions and receive responses. Without dialogue in the solitude of our individuality, we do not feel the limit to what we can or cannot do. They are, essentially, limits built by the ego, because it is aware of having to live with itself.

In her appendix to the Eichmann report, Arendt underlines how escaping from the field of ascertainable facts and individual responsibility most of the time undergoes a generic collectivization of guilt or the use of abstract theories. The common feature of this approach is the reluctance to judge in terms of individual responsibility, even of moral character [Arendt, 1965, Ital. transl. 2003, 298]. As she frequently stressed in her lectures on moral philosophy, after having fallen into obscurity for several years, the legal proceedings against war criminals forced us to also watch the unspeakable horror from another point of view, leading to the re-emergence of the moral issue [Arendt, 2003, 47]. Although the suspicion which the legal sphere in general feels towards morality and even justice remains

the simple fact of courtroom procedure in criminal cases, the sequence of accusation-defense-judgment that persists in all the varieties of legal systems and is as old as recorded history, defies all scruples and doubts – not, to be sure, in the sense that it can put them to rest, but in the sense that this particular institution rests on the assumption of personal responsibility and guilt, on the one hand, and on a belief in the functioning of conscience, on the other. [ibid., 57]

Through this reflection, Arendt does not want to assimilate the legal sphere to this morality, but to point out that both refer to the idea of the person who answers individually for his actions and cannot shield himself behind the endorsement of a system or organization. The law forces you to pay attention to the person, even in the age of mass society where we all tend to see ourselves as cogs in a machine that is bureaucratic, social, political or professional. The most important element that Arendt learned from these trials is that they have raised the issue of responsibility and guilt of those who, while not being common criminals, played a role in the regime, but also those who stood by silently tolerating what was happening.

The trials against those who committed crimes led Arendt not only to analyze totalitarian demoralization, but to try and define the moral sphere. What collapsed weren't the contents, that is to say

their universal goals or historical contexts, but the containers, namely the very ability to think and evaluate issues in moral terms. Moral sense does not refer to the disposition to follow the injunction of duty or to make proper assessments, but to the ability to perceive that a problem is moral, that it makes sense to morally evaluate the world, actions, practices and human ideas. It is the ability to discern, to ask and to reflect on what we do [Gérard, 2007, 249]. As Jaspers had predicted, the transition from radical evil to banal evil represents a shift in the ground of the morality from the outside to the inside, from the object to the subject – although the latter term does not belong to the Arendt's vocabulary. Evil does not consist in error towards good, in a will that refuses to comply with duty, because the loss of good is still a sign of participation in a moral dimension. Eichmann is not an example of the diffusion of negative values, but instead exemplifies a loss of moral sense, an orientation towards good and evil which makes any questions regarding the consequences of our actions quite unnecessary. The corruption of the ability to take on the challenges in the field of morality and then judge them had been pursued in a systematic way by the Nazi regime, through functionalization and fragmentation of tasks and through ideological conditioning which explains everything as if it was emancipated from reality. In a degenerated context, thinking about what we do as the capacity to bind actions and take responsibility for consequences, is thrown out to benefit the immediate contingency of our role. As some have pointed out, the transition from the *Sieg Heil* to the gas chambers is not obvious and can easily be concealed. The trivial nature of the gesture obscures its link with the consequences, and therefore its scope. If we do not connect it with its remote and criminal consequences, it seems easy to assume, so that the self-attribution of these gestures to the respective entities does not pose a problem, because the individual refuses to take responsibility for the consequences [*ibid.*, 252-253]. It will be a matter of deepening the ability to interpret problems in moral terms, trying to shed light on the meaning of dialogue with oneself as a search for an agreement, while also making reference to the relationship between the self-reflection of the individual with respect to his position in the world.

3. Orienting oneself with the example

If totalitarianism represented the overall experience and the dark background for a critique of modern political categories, the particular and individual experience of the Eichmann trial, such as the staging of the atrophy of thought, leads to the need to reflect on how to proceed in distinguishing between good and evil. There is a close link between thought and experience in Arendt: experience provides the raw material for refining the categories of thought. In this sense, on the one hand the suppression of freedom and action, inherent to totalitarianism, urge her to reflect on the limits of the human condition from the point of view of worldly activities, namely those that are overt and visible; on the other hand, the moral collapse – created by totalitarianism – stimulates her to explore more directly not only thought, but all the activities of the mind [Leibovici, 2002, 228]. We have already had the opportunity to note that, as the foundation of evil which conveys the idea of the man being superfluous, there is not only the criminality of the leaders of a regime, but also the collapse of the ground that sustains moral actions and judgments of “normal” people [Fistetti, 2006, 51]. Within the appendix added in the 1964 edition, which recalls the controversy triggered by the case and the Eichmann testimony, Arendt makes explicit reference to the fact that the postwar trials against Nazi criminals raise one of the greatest moral questions of all time: that is, the problem of nature and the function of human judgments [Arendt, 1965, Ital. transl. 2003, 295-296].

The rethinking of the activities of the mind received a strong impulse from moral collapse, which brought out the need to refocus the question of judgment. The weakening of moral maxims that guide social behaviour raises questions about the ability to discern what is right and what is not, starting only from themselves, without relying on general criteria. In addition to the themes of the inability of the individual to judge and take individual moral responsibility, the Eichmann case stands out in relation to the theme of judgment, another question that arises from the possibility of judging the significance of an event at a later date. Referring to the controversy that accompanied her text, much of it aimed towards the image that was offered of the Jewish Council and the impossibility of judging and reconstructing the exact circumstances in a different context, Arendt points out that the idea according to which there is no right to judge

if one has not been there or has not lived a certain incident has certainly had its effect, although it is also clear that in this case one could no longer administer justice nor make history. The charge of presumption, shifted on those who judge, is as old as mankind, but that does not make it valid [*ibid.*, 296]. The Eichmann case brings to light the question of retrospective judgment over a past that defies not only the German people or the Jews, but also those who cannot come to terms with it. Judgement, as the ability to make sense of common space and make it livable, invades responsibility and concern for the world. The right to judgement is absolutely inalienable because, judging constantly, we can give the world meaning [Beiner, 1982, Ital. trans. 1990, 152].

A possible development of the needs of moral character, which may depart from the theme of judgment, can be found in the lectures on moral philosophy Arendt held in the mid-sixties, *Some Questions of Moral Philosophy*, in her essay *Thinking and Moral Considerations*, [Arendt, 1971 (2003)], as well as in the references to Socrates in the section on *Thinking in The Life of the Mind*. In the previously mentioned lectures on morality, Arendt communicates remotely with various great speakers – Socrates and Kant in particular – to try and attempt to understand if it is possible to grasp hold of an argument which will decide what is right and what is not. While stating that we refer to lectures and not to works written by the philosopher for publication, through those typical questions asked to the philosophical tradition the progress of her reflections is revealed in all its immediacy. Arendt questions the foundations, the premise of moral propositions in extreme situations and the ability to have some kind of compass orientation, in circumstances that wear each criterion or formula to which one appeals. We should stress that experience is always the base from which the arguments of philosophers originate:

Among the many things which were still thought to be "permanent and vital" at the beginning of the century and yet have not lasted, I chose to turn our attention to the moral issues, those which concern individual conduct and behavior, the few rules and standards according to which men used to tell right from wrong, and which were invoked to judge or justify others and themselves, and whose validity were supposed to be self-evident to every sane person either as a part of divine or of

natural law. Until, that is, without much notice, all this collapsed almost overnight, and then it was as though morality suddenly stood revealed in the original meaning of the world, as a set of mores, customs and manners, which could be exchanged for another set with hardly more trouble than it would take to change the table manners of an individual or a people. [Arendt, 2003, 50]

The awareness of the fragility of principles that had traditionally been considered permanent, as well as self-evident, is defined by the collapse of moral standards both in the public and private sectors, which can be observed in totalitarian regimes, exemplified by the Nazis. Morality has sunk, losing consistency as if it were an empty set of *mores* – traditions and conventions that can be changed with ease – and not because of the criminals, but of ordinary people who, as long as these precepts enjoyed a general consensus, never put into question what they had learned. If the wrecking effect of Socrates's train of thought awakens us, leaving us only with perplexities that we can, at best, discuss with others, the option of not thinking, which in some ways is advisable from the point of view of peace of mind, nonetheless has its risks. Reflection makes us unstable, but complying in any case and totally to the rules of conduct in force in a society can lead us to endorse the worst possible crimes. If morality, as *mores*, is really just a matter of habit, then it can no longer have stability and consistency of good manners as we have seen with the easy reversal of the principles of "Thou shalt not kill" and "Thou shalt not bear false witness against thy neighbor" in the totalitarian regimes and the «reversal of the reversal» when it came to the re-education of the Germans after the Nazi era [Arendt, 1978, 177].

This disintegration has led us to set aside moral issues for a long time, only to have them re-emerged with the trials of war criminals. Remaining in the background, there are questions about the ability to distinguish right from wrong and how to navigate in this discernment. In an attempt to solve an ancient question, Arendt communicates on several occasions with some dictations of morality of Kantian and Socratic thought. When discussing Kant's categorical imperative, she makes it clear that, in the light of the principle of non-contradiction that structures it, obedience can only be claimed if the laws that we set ourselves are valid for all rational beings. In other words, if everyone is for himself a legislator, crime or sin cannot be interpreted

only as an act of disobedience against the law for someone else, but as a refusal to act as legislators of the world [Arendt, 2003, 69]. The need to give binding force to moral formulations of rational mold is a problem that has touched moral philosophy ever since. When Socrates says that it is better to suffer evil than to do it, he is referring to something that is dictated by reason and cannot be proven. Moral propositions, like all those that contain some claim to truth, must be self-evident and self-imposed. However, in hindsight, those who feel the moral precepts in their own self-evidence do not need any obligation. Those few who in Nazi Germany remained immune from blame, who believed that the crimes remain crimes even if legalized; «In other words, [...] did not feel an obligation but acted according to something which was self-evident to them even though it was no longer self-evident to those around them» [*ibid.*, 78]. Consciousness, Arendt adds, was not spoken to them in Kantian terms «This I *ought* not to do», but merely noted «This I *can't* do», in harmony with the self-evidence of moral propositions [*ibid.*]. According to Kant, will can always object to reason (hence the need to introduce an obligation). However, Arendt observes, the obligation is not at all self-evident. «You can always counter the “thou shalt” or the “you ought” by talking back: I will not or I cannot for whatever reasons. Morally the only reliable people when the chips are down are those who say “I can’t”» [*ibid.*, 78-79].

This is an attitude which refers to the first Socratic proposition «It is better to be wronged than to do wrong», which in turn, despite the negativity of not being able to do something, provides guidance with respect to the relationship with the “self”, which is even more evident in the second Socratic proposition, «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 rather than that I, *being one*, should be out of harmony with myself and contradict myself» [Arendt, 1978, 181].

The first statement is strictly subjective (for me it would be better to suffer an injustice than to commit it), the second, which in fact is a prerequisite for the first one, concerns the paradoxical statement of not wanting to incur a disagreement with himself as one. If, however, this one represents an identity (in the sense of A equals A), the question of the agreement would not arise because «you always need a least two tones to produce a harmonious sound» [*ibid.*, 183].

And then when I am for others, until I appear and I am with them, I am one, when in fact I am with myself and for myself, a difference insinuates. «In other words, what is being transferred here is the experience of the thinking ego to things themselves»: this transfer of experience makes me two-in-one when I think silently and dialogue between me and myself [*ibid.*, 185]⁴. This duality, which translates the essence of thought, comes back to reconstruct itself in unity when the world of appearances tears me from the solitary act of reflection. The scission between me and myself at the heart of the life of the mind is a further confirmation of how the humanity of Arendt is characterized by the *nomos* of plurality (the duality of thought refers to the infinite plurality which is the law of the earth). Within this dimension, consciousness indicates an awareness that accompanies the actualization of the dialogical process represented by the difference of the two-in-one.

Consciousness is not the same as thinking; acts of consciousness have in common with sense experience the fact that they are "intentional" and therefore cognitive acts, whereas the thinking ego does not think something but about something, and this act is dialectical: it proceeds in the form of a silent dialogue. Without consciousness in the sense of self-awareness, thinking would not be possible. [ibid., 187]

What are the indications that acting can draw from this activity of the mind? First, it should be clarified that thought is a faculty that is present in everyone, but that could not, however, be activated. It is possible to not break down and avoid that exchange with ourselves evoked by Socrates, even if a life without thought, although possible, is not fully life. One who does not think is like someone walking in their sleep. One who decides instead to live fully must therefore avoid doing what could render living with the duality impossible, in a way that could undermine friendship and harmony with oneself. So, when it comes to acting in the world of appearances, your rules are not those dictated by the majority or approved by the company, but your criterion is to remain in agreement with your life partner.

⁴ «Loneliness comes about when I am alone without being able to split up into the two-in-one, without being able to keep myself company, when, as Jaspers used to say, "I am in default of myself" (ich bleibe mir aus), or, to put it differently, when I am one and without company" [*ibid.*].

Thought does not provide values nor supports the normal rules of conduct and has no political significance except in extreme situations. When all is carried away by the current of credulity or has allowed itself to be seduced by ideologies, then only those who exclude themselves from the process, since they are thinking beings, also appear as agents.

This should describe the relationship between thoughtlessness and evil in detail, highlighting the consequences of the moral component that the catharsis of thought opens in political emergencies. The silent dialogue with oneself that characterizes the two-in-one tells us that in doing evil we are condemned to live with a criminal. Doing evil is a way to degrade the ability to think about what is going on and to talk about what is taking place, as if it were a kind of story that could then be communicated to others [Arendt, 2003, 94]. Remembering is a way to think about what has happened. To remember something you first need to talk to yourself, looking back on what has been done and what has happened. A person devoid of thought and memory, while remaining a human being, is still a danger to himself and others because they can turn into someone ready to take any course of action. In this sense, as we have seen, thinking back on the events of the past allows you to access a dimension of depth, to put down roots and to be more stable without being entangled by the spirit of time. This is the reason why the worst kind of evil is the rootless one, one that can become unlimited because no root is capable of stopping it. The practice of thinking is equivalent to the deepening of roots, putting limits on their own *hybris* and avoiding skating on the surface of events. A possible loss of this ability to think and remember to practice the two-in-one will have implications on the conduct towards oneself and towards others. Acting does not therefore need to appeal to duties or obligations, but must rely on a capacity which is easy to lose track of, such as thinking and remembering [*ibid.*, 96-97]. Even intellectuals, while devoting themselves to spiritual pursuits, can commit crimes. This is because, according to Arendt, they often mistake thinking, which is always a form of activity, for the mere passive enjoyment of the elements of thought. If thinking always involves examining and questioning, or shaking the idols, as Nietzsche liked to say, every man, put in a position to judge for himself, could possibly act without

clinging to fixed rules [*ibid.*, 103]. Thought, as an activity, can produce moral effects, because it can turn someone who thinks into a person.

In a historical period that demonstrated the generalized collapse of moral phenomena and in which, however, someone has continued to distinguish good from evil, it is necessary to draw attention to the provisions inducing that person to refrain from doing evil. In this perspective, the Socratic formulas «It is better to suffer wrong than to do wrong» and «It is better to be at odds with the whole world than, being one, to be at odds with myself» represent negative recommendations, they do not suggest what to do but put obstacles in front of the possibility of evil. Socrates seems then to configure a morality that assumes political significance in times of crisis, when the ego, considered as the last bastion of moral conduct, is sort of an emergency measure on a political level. To appeal to the alleged moral principles in normal circumstances or trivial matters is misleading and generally self-righteous moralists are the first to conform to any rule that they should comply to in a given period of time. It is in exceptional circumstances, in emergencies, that the ego, if it preserves the dialogue of the two-in-one, reveals its moral component refraining from doing evil. Looking back over the Socratic precepts we see that we are dealing with a borderline negative moral that seems to be the only one able to function in emergencies, as a phenomenon almost at the limit of the political sphere. In these situations propositions like “do not to kill” and “do not lie” continue to be self-evident only to those who want to continue to live in the company of themselves giving depth to their existence.

These negative precepts that appeal to the agreement of the ego with oneself in order to bring the possibility of evil into question are still very subjective, because what one can endure before losing their integrity can vary from person to person. Is there something to lean onto when discerning between right and wrong in the same way in which we distinguish between beautiful and ugly? We already know that we cannot decide by referring to the habits and customs of a society (the *mores* of a community), because «matters of right and wrong, however, are not decided like table manners, as though nothing were at stake but acceptable conduct» [Arendt, 2003, 143]. In decisions that have repercussions on the moral sphere we can, however, refer to “examples”.

And there is indeed something to which common sense, when it rises to the level of judging, can and does hold us to, and this is the example. Kant said, "Examples are the go-cart of judgment"[...], and he also called the "representative thought" present in judgment where particulars cannot be subsumed under something general, by the name of "exemplary thought". We cannot hold on to anything general, but to some particular that has become an example. [ibid.]

It often happens that the example of something, such as the best performance of that particular something, can acquire some validity, however limited, for other cases. In this perspective, the examples are, according to Arendt, «the guideposts of all moral thought», as is apparent from the impact of the Socratic statement which is greatly supported by the fact that Socrates has provided an example with his own conduct [ibid., 144]. Socrates had staked his life on the very paradoxical statement "It is better to suffer wrong than to do wrong" when he decided not to escape the judgment that condemned him to death. This teaching by example shows how a philosophical truth can turn into "practice" and serve as an inspiration for action, when it can be manifested in the form of example. The transformation of a theoretical or speculative statement into an exemplary truth – a transformation which only moral philosophy is capable of – represents a limited experience for the philosopher: through example and by persuading the multitude in the only way available to him, the philosopher began to act [Arendt, 1967, Ital. transl. 1995, 56-57]. In an attempt to distinguish good from evil it is therefore possible that people suggest and signal, although from a distance or absently, that they are an example. Lingering on the implications of the example for moral judgment, Arendt believes that when dealing with conduct and the choices we make, we can have an influence on the people with whom we choose to live, because even in choosing one's company we are referring to examples of people, being they real or distant in time and space. In terms of morality and politics, indifference towards this choice combined with the growing trend to non-judgment foreshadows a dark horizon.

Out of the unwillingness or inability to choose one's examples and one's company, and out of the unwillingness or inability to relate to others through judgment, arise the real skandala, the real stumbling blocks which human powers can't remove

because they were not caused by human and humanly understandable motives. Therein lies the horror and, at same time, the banality of evil. [Arendt, 2003, 146]

Decisions concerning good or evil are affected by companions with whom we spend our time, and on this same choice weigh the examples of people or events to which we have referred. If, for example, someone prefers the company of Bluebeard, the only thing you could do is to stay away from that person. We know, however, that according to Arendt the danger of a surface evil is produced by those who make no distinctions in the choice of companions. In this regard, it was noted that looking, on the outside, at those considered as examples, the morality of conscience would slip from the agreement with oneself to agreement with others (hence the validity of the assessments is inter-subjective) [Williams, 2007, 11-113]. What imposes limits on our ability to do evil can be our thought as well as the dualistic two-in-one or the judgment that looks at those representing them, though it still remains true that evil is related to never taking a decision. A decision through positioning can be the outcome of that emerges from the solitude of thought choosing examples or colleagues with whom we want to live and not letting the circumstances do it for us. This choice has the effect of accountability that forces you to be judged by others as an individual immersed in the relationships built through actions and words. Knowing that we refer to an example, this means that we live with others through judgment and choose to live with the example of someone rather than someone else's [*ibid.*, 114].

4. Guilt and "mediality"

In this brief final section, we will try to extend what has emerged from an analysis of the reflections that Arendt devoted to the moral issue, referring to other relevant writings that have helped to focus the question of guilt, about the totalitarian crimes, from the perspective of moral philosophy and legal science. The crimes committed by the Nazis after the war gave rise to a fervent debate that will later extend to the crimes of totalitarian regimes or other genocides and other unprecedented war crimes in history. The traditional categories of accusation and guilt seem unsuitable or

unable to have any grip on reality before crimes that transcend the valuation parameters of the past [Portinaro, 2002, 62]. In this perspective, through a philosophy that aims to contribute to the thought processes and political criteria we use to judge, Karl Jaspers appeals to the responsibility of the individual so that it may also result in interest and participation in social and political life [Miano, 1993, 216-217]. His appeal is more radical in the light of the destruction of political existence, the corruption of the moral fiber of the individual and the dissolution of responsibility that totalitarianism has created, using conditions of possibilities that are favorable and factors that are internal to society. The disintegration of man as an individual, pulling out of his roots and his links with the past, the loss of self in the illusory promise of an apparently secure collective self, have created fertile ground for a destructive power without measure.

In post-Nazi Germany, Jaspers does not evade the issue of responsibility, raising the question of what had happened and acknowledged guilt, under various levels and facets, from the German people. In his *Schuldfrage*, Jaspers distinguishes between different types (and levels) of guilt: the legal, political, moral and metaphysical [Jaspers, 1966, Ital. transl. 1996, 21-22]. It is thus legal guilt for crimes objectively ascertainable, including military actions carried out as an individual, to the burden of political responsibility which clearly includes statesmen as rulers. The moral guilt instead strikes the individual called to answer for his actions before a morality court, that of his own conscience supported by communication with friends, with those who love us and care about our souls. Facing this need, the excuse that orders are orders, to disguise a crime with a semblance of legality, does not hold value because every action is still subject to one's own moral judgment. Metaphysical guilt concerns the bonds of solidarity that make each person feel co-responsible for the injustices that occur in the world, especially when they take place in our presence or our consciousness. When we are not doing everything possible to prevent such crimes, but remain passive before the massacres being perpetrated with the support of our consciousness, then we too become guilty. It is a different sense of guilt that cannot be adequately understood from a legal, moral, or political point of view. Being alive when things like that have happened is an indelible guilt, because an unconditional impulse between people should lead in the face of atrocities to think

about whether we live together or we don't live at all. The guilt of us all is the fact that this impulse of solidarity is not available to everyone, it does not concern citizens or small groups, but is sometimes active only in the most intimate ties [*ibid.*, 22-23]. The metaphysical feature of guilt looks at the ground of the conditions of possibility in which Nazism took root, which may recur and from which we are not at all immune, and they relate to the inability to distinguish between what a monstrous technique can produce and what we can feel responsible about, whenever we work irresponsibly within an apparatus that exonerates us from taking responsibility for the final purposes for which it is built. The issue of guilt, posed by Jaspers, has been reformulated and radicalized by Arendt both in the light of a new form of government, that cannot be compared to regimes of the past, and of new crimes, alien to any classification known to the science of law. It is true that it becomes difficult to identify parameters of justice, moral and criminal, in a situation in which the boundaries that separate criminals from normal people have been eroded. However, Jaspers tries to limit the gap between traditional legality and ethical categories with an analysis that seeks to avoid the risk – with the appeal to the inhumane and demonic – of unprecedented faults (which have different levels of depth and responsibility) being diverted from legal and moral evaluations [Portinaro, 2002, 64].

The framework outlined by the combined analysis of the reflections of Arendt and Jaspers can be enriched referring to what is emphasized by Günther Anders about the metamorphosis of people from agents to employees which is called "mediality" [Anders, 1956, Ital. transl. 2007, 268]. This expression describes a conformist business collaboration which, lacking an overall vision, cannot establish a line of demarcation between active and reactive components of a machine operator. In this dimension, human existence is characterized by the assumption of a passive-active-neutral style. This "mediality" dominates not only in totalitarian countries, where conformity is enforced by violence, but also where it can work its way into more pervasive folds of democracy. "Mediality" has been performed in a paradigmatic way in trials for crimes against humanity, where the accused were unable to experience feelings going from awareness to remorse over what they had done, because to them the essence of morality coincided with

the collaboration with a larger management entity. The understanding of these crimes requires the underlining of the principles that inspires them, even at the cost of diminishing their extraordinary size, namely that conformism manifested in a collaborative active-passive-neutral form which is typical of business.

The discrepancy between what we produce through technology and what we are able to feel responsible for, on which Anders has long insisted in his writings, is not intended as an excuse that absolves everyone as victims of the mega-machine. The inability to feel does not allow us to believe that the moral defeat of humanity has already been decided: as far as work ethics can obscure the imagination, we must not give up the attempt to expand our imagination to look at the dangers that lurk behind the mechanisms (the machine-principle in the broadest sense). There is still a chance to break the identification with the pure case that unfolds when we break the mechanism that drives human "mediality", thus setting in motion a moral resistance. Who among us has ever tried at least once to imagine the effects of an action that was being planned or of which we were a part of, and who after this failed attempt tried to really admit this failure, and because of this awareness of conscience was haunted by fear? It is a healthy fear in the face of what we were about to cause, allowing us perhaps to change our mind about our actions, escaping Eichmann's danger zone. In line with what has emerged from the writings of Arendt, in *Wir Eichmannsöhne* Anders highlights how in Eichmann's case this discrepancy has worked as a principle of irresponsibility and legitimation for the perfect coincidence between being present and being a function of the extermination camps, where morality has never set foot [Anders, 1964, Ital. transl. 1995, 40]. An attempt to keep the conscience of the apparatus alive through the assumption of personal moral responsibility for what he had executed was made, however, by Claude Eatherly, one of the pilots who worked on the cancellation of Hiroshima, the only one who, in retrospect, took upon himself the burden of guilt for their military action [Eatherly and Anders, 1961]. According to Anders, Eatherly is not the twin of Eichmann, but he is obviously and perhaps encouragingly for us also the antithesis. Eatherly is not the man who uses the mechanism as a pretext and a justification for lack of conscience, but the person who analyzes the mechanism as a frightening threat of consciousness [*ibid.*, 148-149].

In a perspective that is in no way comforting, the figures of Eichmann and Eatherly, located at the antipodes of each other, are therefore, according to the Anders' point of view, the two possible outcomes of a morality that opens itself to being distorted in a world increasingly colonized by the imperialist principles of use, consumption and specialization.

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