Introduction

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Few if any political thinkers of the twentieth century have attracted public attention and scholarly discussion as wide-ranging as has Hannah Arendt. Her theoretical reflections on the human condition have attained classic status in political philosophy, while her writings on the political crises of her time are a continuing source of intellectual inspiration and provocation.

A former student of Martin Heidegger and Karl Jaspers and a comrade in exile from Nazi Germany with Walter Benjamin, Arendt first came to public prominence ten years after her emigration to the United States, with the publication of The Origins of Totalitarianism (1951). That celebrated work’s highly original analyses of antisemitism, imperialism, and totalitarianism immediately established her as a leading commentator on the political upheavals and catastrophes of the era. With that book, she not only offered a uniquely clear-sighted, broad account of twentieth-century totalitarian politics and their antecedents; she also provided an exceptionally subtle and penetrating analysis of the modern mentalities that gave succor to those politics. Within those same pages, she also made a landmark contribution to the discourse of international human rights, with a strong critique of the misuse of the institution of citizenship in the modern nation-state. She followed that achievement with even more far-reaching analyses of the exhausted traditions and neglected resources of Western political thought, culminating in her books The Human Condition (1958) and On Revolution (1963). Her fearlessness in exploring the nature of political evil and personal responsibility found further expression in Eichmann in Jerusalem (1963), the source of her famous, much-misunderstood phrase, “the banality of evil.” All of these books – along with the numerous other volumes, essays, and lectures that constitute the corpus of Arendt’s work – were the focus of extensive critical notice and often controversy in her lifetime, and in more recent years they have gained an ever-widening circle of attentive readers,
both within and outside the academy. With the passage of time, her stature as a major thinker of the twentieth century has received ample confirmation.

In the fall of 2006, the centenary of Hannah Arendt’s birth was celebrated with conferences from New York to Istanbul, from Paris to Lima, from Berlin to Sofia and beyond. These not only marked her worldwide recognition and reputation, they also revealed an urgent need, an intellectual hunger, “to think with Arendt, against Arendt.” This need was increased by the global struggles that ensued after the September 11, 2001, attacks on the World Trade Center and the Pentagon, and the subsequent American-led wars in Afghanistan and Iraq. Many have presented the conflict between the resurgent forces of an Islamist Jihadi movement, spearheaded by al-Qaeda, against the ‘West,’ as a confrontation between liberal democracies and the new face of totalitarianism in the twenty-first century. In this context, Arendt’s epochal analysis of Nazi and Stalinist totalitarianism has often been invoked as a source of analytical insight about current problems and also to support entrenched ideological positions, with which Arendt most likely would not have agreed.

The month of October 2006 was a particularly dark one for the American republic in Arendtian terms: With congressional midterm elections only a month away, it appeared to many that nothing less than the future of constitutional government in the United States was at stake. Guantanamo and Abu Ghraiab were only the most infamous of the sites of illegality where the U.S. Constitution was hemorrhaging in the hands of those who claimed that executive power, beyond the rule of domestic and international law, would determine the status of enemy combatants. Evidence was mounting daily that

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2 See the two volumes published by Social Research documenting these conferences: Hannah Arendt’s Centennary: Political and Philosophical Perspectives, Part I, edited by Arienne Mack and Jerome Kohn, 74, 3 (Fall 2007); Hannah Arendt’s Centennary: Political and Philosophical Perspectives, Part II, edited by Arienne Mack and Jerome Kohn, 74, 4 (Winter 2007).
4 In the fall of 2001, shortly after the September 11 attacks on the World Trade Center, a conference was held at the New School for Social Research that had been originally planned to mark the fiftieth anniversary of the publication of The Origins of Totalitarianism. Impassioned participants debated whether the al-Qaeda movement and Islamic Jihadism could be considered “totalitarian” in the way spelled out by Hannah Arendt. Cf. The Origins of Totalitarianism. Fifty Years Later, Social Research, edited by Arienne Mack and Jerome Kohn, 69, 2 (Summer 2002).


Cf. Chapter 11 in this book, by Benjamin Barber, who radically disagrees with these views of Islam.
torture, including waterboarding, was used by the American military as well as paramilitary contractors working for Blackwater Security in Iraq. U.S. Attorney General Alberto Gonzales issued a memo that declared that all acts besides those leading to severe organ failure and malfunctioning did not constitute torture—again, in violation of international covenants. The “Global War on Terror,” which had murky legal and even strategic justifications at best, was under way. Jonathan Schell observes that “...the President’s bid to achieve global military dominance by the United States [was] presented to the public as a kind of colossal footnote to the war on terror. The interplay, enacted on the electoral stage, between the attempt at dominance abroad and one-party rule at home,” was probably the most important generator of this constitutional crisis.

Although the chapters in this book were composed with the vivid memory of these political crises in the background, their engagement with Arendt’s work

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Several controversial memos and briefs of the G. W. Bush Administration sought to establish that neither Article III of the Geneva Convention (1949), to which the United States was a High Contracting Party, nor the War Crimes Act (1996) applied to a non-state actor such as the al-Qaeda organization. See “Memorandum for Alberto Gonzales, Counsel to the President and William J. Haynes, II, General Counsel of the Department of Defense,” prepared by the Office of the Assistant Attorney General, Bybee, on January 22, 2002 and the Alberto R. Gonzales Memos of January 25, 2002 and August 1, 2002. Once the protection of al-Qaeda and of captured Taliban prisoners under the Geneva Conventions and the War Crimes Act was lifted, they became fair game to be tortured and the U.S. government avoided the onus of violating international obligations and customary international law. The August 1 memo states with respect to “Standards of Conduct for Interrogation under 18 U.S.C. #2340–2340 A that... certain acts may be cruel, inhuman or degrading, but still not produce pain and suffering of the requisite intensity to fall within section 2340A’s proscription against torture... Physical pain amounting to torture must be equivalent in intensity to the pain accompanying serious physical injury, such as organ failure, impairment of bodily function or even death. For purely mental pain or suffering to amount to torture under Section 2340, it must result in significant physical harm of significant duration, e.g. lasting for months or even years.”

Gonzales’ memo in effect sanctioned the use of torture by the United States. That the reasoning of the Office of the U.S. Attorney General was faulty is widely accepted in the legal community and has been proven by subsequent U.S. Supreme Court decisions to close down the Guantanamo Bay Prison. In a series of related decisions over a number of years, the U.S. Supreme Court has concluded that “United States courts have jurisdiction to consider challenges to the legality of the detention of foreign nationals captured abroad in connection with hostilities and incarcerated at Guantanamo Bay. (July 2004). See http://news.bbc.co.uk/2/hi/americas/3867067.stm. And on December 15, 2008, the justices ordered a Washington appeals court to review its January 2008 ruling quashing the lawsuit against former defense secretary Donald Rumsfeld and ten senior U.S. military officers. This decision was the latest in a string of legal rebukes to the military justice system set up by the administration of President George W. Bush to try “enemy combatants” seized as part of the government’s “war on terrorism.”

Seyla Benhabib goes far beyond them. Many of the contributors to this book have written on Hannah Arendt before; others have not. In some cases, these chapters revisit with fresh eyes themes such as evil, equality, action, judgment, freedom, morality, and natality, which are crucial to any account of Arendtian politics. In other cases, they address themes such as sovereignty, jurisdiction, international law, genocide, nuclear holocaust, and Arendt’s contrasting views on Europe and America that have not been much discussed in the literature. They explore and evaluate critically Arendt’s multifaceted achievements as a theorist of political principles and institutions; as a philosopher of political judgment and a witness to political evil; and, throughout, as a thinker who alerts us to the simultaneous claims of these manifold public roles.

Freedom, Equality, and Responsibility

Hannah Arendt is indebted to the republican tradition of political thought insofar as for her the republic is the “res publica,” the public thing – or more appropriately, the edifice – in which freedom is housed. Like Cicero, Rousseau, Montesquieu, and Jefferson, she believes in government in which laws and not men rule; in which the balance of powers among different branches is constitutionally secured. Above all, she is convinced that a republic cannot be maintained unless its citizens display and exercise certain capacities of character and intellect that privilege the concern for the common good in their hearts and minds over narrowly understood self-interest.

As Jeremy Waldron notes in Chapter 1, “Arendt on the Foundations of Equality,” the republican ideal of civic participation is often thought to privilege an elite and is not easily reconcilable with the idea of democratic participation based on universal suffrage. But Waldron undertakes to clarify the philosophical bases of Arendt’s concept of human equality to show that while Arendt denied that egalitarian principles in politics have an imperative force apart from our own decision to recognize them, this does not mean that those principles are purely arbitrary. Rather, she insisted, human equality supervenes upon a basic fact of the human condition, namely, the ever-present capacity to initiate the new and the unprecedented. By showing how this relation of supervenience informs her insistence on establishing republican politics on an inclusive, egalitarian basis, Waldron defends the theoretical coherence of

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7 On September 29–30, 2006, Yale University’s Program in Ethics, Politic and Economics and the Whitney Humanities Center convened a conference under the title “Crises of Our Republics: Hannah Arendt at One Hundred.” Some of the essays collected in this book were originally delivered during that conference. All have been revised for inclusion in this book.

8 For further discussions see Margaret Canovan, Hannah Arendt: A Reinterpretation of her Political Thought (Cambridge: Cambridge University Press, 1992), and for a comprehensive overview of some of the debates surrounding various aspects of Arendt’s political philosophy, cf. The Cambridge Companion to Hannah Arendt, edited by Dana Villa (Cambridge: Cambridge University Press, 2000).
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Arendt’s egalitarian principles and attempts to reconcile her republican elitism with her democratic egalitarianism.

Arendt often reiterates that every human being who comes upon this earth has the capacity to initiate a new set of words and actions that are uniquely hers and that no human life can ever be the replica of any other. This principle, which is at the source of all that is new and unprecedented in politics, prompts both hope and dread; yet it can also harbor the hubris that modern men can tolerate only what they have made or can consider themselves to have created. The modern belief in autonomy, that humans are worthy of respect insofar as they can fashion and create the conditions of their lives, also breeds a dangerous impatience with whatever men have not produced and cannot change. In a subtle analysis of the paradoxes of autonomy and acceptance, freedom and reconciliation with the given, Roy Tsao returns to Arendt’s dissertation of 1929 on Der Liebesbegriff bei Augustin and her subsequent rewritings and musings of Augustinian themes.

Arendt often quotes Augustine, “that there be a beginning, man was created before whom there was nobody” (HC, 177). Augustine was referring specifically to the creation story in Genesis; Arendt nonetheless takes his dictum as a touchstone for her concept of natality, the universal human capacity for fresh initiative. In Chapter 2, “Arendt’s Augustine,” Roy Tsao suggests that Arendt’s penchant for quoting Augustine in this connection is a sign that even when celebrating human initiative, her thoughts were never far from recognizing the limitations upon human action, and the perils in failure to recognize and accept those limitations. In her dissertation, Arendt had examined Augustine’s sense that an adequate human self-understanding depends crucially on the recognition that all human beings share a common historical situation: All inherit the same dead weight of the past; none are denied the chance to be redeemed from that burden; each must continually seize on that chance for himself or herself, while also benefiting from others’ example and encouragement. Tsao underscores the importance of this same pattern of argument – transposed to a secular context – to Arendt’s later thinking about the human predicament. In Tsao’s view, this pattern can be seen most clearly in The Origins of Totalitarianism, where Arendt warns darkly of the “perversions of human self-consciousness” that arise when men refuse to acknowledge their common humanity with all others, whatever their failings or limitations.

If The Origins Of Totalitarianism can be considered the crowning achievement of Arendt as a political and historical analyst, The Human Condition – which she titled Vita Activa (life of action or active life) in its German edition, in contradistinction to vita contemplativa (the contemplative life or the life of the mind) – is clearly her most philosophically challenging work. In Chapter 3, “The Rule of the People: Arendt, Arché, and Democracy,” Patchen Markell examines how Arendt’s understanding of human action informs her account

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of democratic politics. Arendt’s signature notion of action as a “beginning” figures in her recurrent polemic against the particular conception of “rule,” which she deems pervasive in Western political thought. Politics has often been thought to be about ruling and being ruled, but through a careful analysis of Arendt’s discussion of action in *The Human Condition* and related texts, Markell shows how this critique of the concept of “rule” poses a challenge to the standard dichotomies of order versus anarchy in contemporary theories of democratic politics.

Markell, like Tsao, returns to the Augustinian motto, “that there be a beginning, man was created before whom there was nobody,” and asks what such a beginning can possibly mean. Noting that most commentators understand “beginning” as the interruption of some sequence or some series, he suggests instead a novel reading: “... when an event passes from possibility to actuality... something changes in a different register; namely, the register in which happenings are not only caused states of affairs but also meaningful events, features of a world, and, in particular, occasions for a response.” For Markell, as for Tsao, beginning does not mean a defiant act of autonomous assertion, but rather, “a state of practical engagement with events.” The principle of natality, then, on which Waldron wants to rest supervenience, is open to many readings, but in each case there is a new modality of practical engagement with the world, beyond banal understandings of autonomy as self-mastery.

Hannah Arendt’s *The Origins of Totalitarianism* has a structure that has long puzzled commentators: Part One is called “Anti-Semitism,” Part Two is named “Imperialism,” and it is only in Part Three, “Totalitarianism,” that the origin and structure of totalitarian movements are addressed. How is one to interpret this structure? Did Arendt see antisemitism and imperialism as causally linked to European totalitarianism? If so, how can one explain the fact that French antisemitism in the Dreyfus Affair did not culminate in French totalitarianism, despite Vichy France’s capitulation to the Germans? Likewise, the British experience of imperialism in India, which is given such a prominent place in Arendt’s account, does not lead to the rise of totalitarian movements in the United Kingdom. It is not countries which engaged in “overseas imperialism,” but rather those that ventured into “continental imperialism,” such as Germany and Russia, that became the homes of Nazism and Stalinism respectively. What does Arendt mean by her insight that the experience of the “heart of darkness” in the white imperialist encounter with Africa, in which all European nations more or less participated, culminated in the “heart of darkness” in Europe itself?

The relationship between imperialism and totalitarianism is at the center of Chapter 4, “Genealogies of Catastrophe: Arendt on the Logic and Legacy of Imperialism,” by Karuna Mantena. Noting that Arendt sharply distinguished imperialism from totalitarianism, as if consigning the former to a subordinate place in her survey of the catastrophes of her time, Mantena nonetheless sees in Arendt’s analysis of imperialism a considerable achievement in its own right. Mantena undertakes to delineate both the insights and the limitations of that analysis, comparing it to the near-contemporary treatment of the same
phenomenon in the *Discourse on Colonialism* of Aimé Césaire. While Césaire charged that the European experience of living with the gap between the theory of universalism and the practice of imperial domination led to the moral corruption that made fascism possible, Arendt refused to posit either imperialism or fascism as inevitable developments of European history. Instead, she focused on the contingent and inadvertent play of political forces that led the European colonizers to adopt “race” and bureaucracy as political devices to control and justify the violent hypocrisy of their imperialist forays. It was this union of bureaucratic rule with the ranking of peoples into “higher” and “lower” races that transformed the imperialist experience eventually into the attempted extermination of a people. Mantena concludes, “If the new imperialism inaugurated a distinct era of global politics and global rivalry, when every nation saw its economic livelihood intimately connected to the expansion of political power and race and economics drew every nation into world politics, it is an era to which our politics are still held captive, with all its calamitous consequences.”

Retrieving themes from Waldron’s chapter on Arendt’s concept of equality, Richard H. King subjects Arendt’s egalitarianism to a different order of critical scrutiny in Chapter 5, “On Race and Culture: Hannah Arendt and Her Contemporaries.” King’s particular concern is with Arendt’s representation of non-Western peoples in *The Origins of Totalitarianism*, which has often been criticized for expressing the cultural biases that were prevalent among European intellectuals of her generation. Without denying the substance of that criticism, King insists on distinguishing Arendt’s position from that of her contemporaries in Germany, such as Theodor Adorno, Leo Strauss, Eric Voegelin, and Karl Löwith. By reconstructing the cultural terms in which “the crises of the West” were articulated, King argues that Western thinkers of the time attempted to reimagine European humanism often at the cost of positing European cultural superiority over Asia and Africa. Arendt, however, had no interest in revitalizing the Western cultural tradition per se. Part of her critique of colonialism was a rejection of the philosophy of history that grounded the narrative of Western superiority. King counters that charge of ethnocentric discourse in her writings by arguing that Arendt was committed to equality as a political concept, not as a factual statement about human capabilities. Both Waldron and King disclose for us the originality of Arendt’s concept of equality, which is poised to steer clear of naturalism and pure normativism. Instead, equality is an ethico-political practice of human relations, actualized through the building of republican institutions.

Sovereignty, the Nation-State, and International Law

Arendt celebrated the American Revolution and the decolonization movements in Asia and Africa because of the opportunities they allowed for national development.
sovereignty. But can the division of power within a country actually benefit from greater constraints on sovereignty imposed by the international system? This is Andrew Arato and Jean Cohen’s question in Chapter 6, as they explore the relationship between external sovereignty – freedom from international domination and constraints – and internal sovereignty – the finality of decision making within a republic. Arendt saw the dangers of allowing one institution or person to have complete sovereignty and thus praised the American republic for “banishing the sovereign.” However, Arato and Cohen find that Arendt’s characterization of the American case as a paradigm of divided sovereignty does not take into account the long history of belief in American exceptionalism and executive privilege that have marked U.S. foreign policy. “Sovereign immunity” and “sovereign privilege” were never absent from American state and legal doctrine. If anything, in the wake of September 11, 2001, the idea of a “unified sovereign” gained ground in the United States with assertions of “unitary executive” authority by President George W. Bush.

Arato and Cohen claim that Arendt’s position on the concept of external sovereignty, as opposed to internal sovereignty, is ambiguous. She understands external sovereignty to be necessary to create the type of republic she cherishes, but the protection of this kind of republic may require that both internal and external sovereignty be limited by a regime built on international law – about which she remains ambivalent.

The tensions between international law and republican politics recurs frequently in Hannah Arendt’s writings: In her discussion of the “right to have rights” in *The Origins of Totalitarianism*, with the question of territorial versus universal jurisdiction in the trial of Nazi official Adolf Eichmann and the status of genocide, we uncover a theme that has been little explored in the literature.

In her chapter on “The Decline of the Nation-State and the End of the Rights of Man” in *The Origins of Totalitarianism*, Arendt showed why European nation-states had tendencies to forsake their republican traditions in the service of nationalist aspirations. No longer guaranteeing equality to all their citizens, particularly in the interwar period, the European nation-states instead created millions of stateless peoples, refugees, and political minorities. In Chapter 7, “The Decline of Order: Hannah Arendt and the Paradoxes of the Nation-State,” Christian Volk claims that for Arendt, the notion of political order represented by the nation-state system was inappropriate to deal with problems of an interdependent Europe.

By linking the concept of the rule of law with that of the nation-state, Arendt followed in the footsteps of German state-theorists and their critique of the “System of Weimar.” This group includes Max Weber, Hans Kelsen, Hermann Heller, and also Carl Schmitt. Volk argues that despite topical similarities among their works, Arendt distanced herself from German state-theorists’ traditional solutions to the problem of order. Unlike her, they insisted that a “homogeneous” society was a precondition for a well-ordered political community. For Arendt, the search for such homogeneity would prove politically disastrous and morally abhorrent.
In Chapter 8, “The Eichmann Trial and the Legacy of Jurisdiction,” Leora Bilsky turns to Arendt’s writings on the 1961 trial of Eichmann in order to stimulate fresh thinking on the abiding problem of jurisdiction in international political trials. In defending its jurisdiction over Eichmann, the Jerusalem Court put forth a theory of “universal jurisdiction,” according to which every national court had the power to try crimes against humanity as a delegate of the international community. Arendt, by contrast, thought that the legitimacy of the Jerusalem Court rested not on “universal” but on “territorial” jurisdiction. The concept of territory over which a court has jurisdiction should be interpreted politically and culturally, and not purely geographically, she argued. The state of Israel was the legitimate representative of the Jewish people, even though the crimes of the Holocaust were not committed on its territory, because it could be said to “represent” the Jewish people. Through close attention to Arendt’s unusual justification for the legitimacy of the Jerusalem Court, Bilsky identifies Arendt’s key insight as the need for criminal law to acknowledge that it is embedded simultaneously in two orders of moral community: that of a political state and that of humanity. On the basis of this insight, Bilsky proposes a framework for resolving the seemingly intractable dilemmas associated with the prosecution of heads of state and their agents for genocide and other crimes against humanity.

What is the foundation of the concept of genocide? Why is it considered the principal crime against humanity? In Chapter 9, “International Law and Human Plurality in the Shadow of Totalitarianism: Hannah Arendt and Raphael Lemkin,” I engage in a comparative analysis of the thought of Arendt and Raphael Lemkin, the “father” of the Genocide Convention. Both arrived in New York in 1941, albeit from different directions: Arendt and her husband Heinrich Bluecher came from Portugal and Lemkin from Japan, via Sweden; they both sought to understand the European catastrophe as it befell them personally, she as a German Jewish refugee and he as a Polish Jewish refugee. They lived in New York City and developed their analyses of the European catastrophe through the categories of totalitarianism and genocide. No evidence exists that they were aware of each other’s work. In fact, many of Arendt’s references to the futility of declarations of human rights – and in particular her statement that “...all attempts to arrive at a new bill of human rights were sponsored by marginal figures – by a few international jurists without political experience or professional philanthropists supported by the uncertain sentiments of professional idealists”11 – lead one to believe that she had no particular use at that point for the Convention on the Recognition of Genocide, which was passed only three years earlier in 1948 through Lemkin’s great efforts.

I argue that between 1951, when The Origins of Totalitarianism was composed, and 1963, when Eichmann in Jerusalem was published, a reorientation took place in Arendt’s thought. This is most manifest in her condemnation

of Eichmann, who in the dramatic epilogue of the book she finds guilty of destroying human plurality in wanting to exterminate the Jews. Genocide violates a fundamental human condition, namely, that of plurality. I then examine the ontological foundation of the concept of the group for Arendt and Lemkin. I trace Lemkin’s concept to a Herderian notion of groups as creators and carriers of human culture. Arendt’s principle of plurality, by contrast, is not centered on the creation and preservation of any one culture per se but on the importance of protecting the varied perspectivality and manifoldness of the world as it appears to human beings. Genocide, in wanting to destroy this, is an attempt by humans to play God. It is the ultimate hubris of modern man, as Roy Tsaos has also emphasized, to want to revolt against human difference and to wish to manipulate it at will.

Politics in Dark Times

One global issue about which Arendt herself did not say much was the question of nuclear weapons and nuclear proliferation. Although genocide and totalitarianism are at the center of her thought, she did not address the possibility of a nuclear holocaust, the genocide of all life on earth. Jonathan Schell calls his moving reflections on this matter, “In Search of a Miracle: Hannah Arendt and the Atomic Bomb,” beginning with his personal encounter with Hannah Arendt. The phrase “in search of a miracle” is Arendt’s own. In her only recently published fragment, called “Introduction into Politics,” she writes:

No matter how hard we try to understand the situation or take into account the individual factors that this twofold threat of totalitarian states and atomic weapons represents—a threat only made worse by their conjunction—we cannot so much as conceive of a satisfactory solution, not even with the best will on all sides. Only some sort of miracle might break the impasse.¹²

Instead of thus bringing matters to a dreary conclusion, Schell notes in Chapter 10 that Arendt makes a startling “U-turn” and acknowledges that miracles are indeed possible in the political realm, just as life on earth itself emerged out of an infinite improbability. Schell reprievs the central themes of Arendtian politics that run through so many of the chapters in this book—natality, plurality, and the meaning of freedom—so that one can “understand the new stakes that have been put on the historical table.” Totalitarianism destroys “the political,” in the Arendtian sense, as the space in which, through action and discussion, individuals find the meaning of freedom in and through their “action in concert.” “The atomic bomb,” observes Schell, “of course threatens the common world from another angle—not by destroying all freedom but simply by destroying all life.” Central to both traditional conceptions of politics as rule and domination (already analyzed by Markell in Chapter 3) and