

ON HANNAH ARENDT'S CONCEPTION OF JUDGMENT  
WITH REGARD TO POLITICAL ACTION  
An Attempt at Reconciling the Perspectives of Actor and Spectator

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## Thesis Abstract

### Sophie Menasse, “On Hannah Arendt’s Conception of Judgment with Regard to Political Action: An Attempt at Reconciling the Perspectives of Actor and Spectator”

This thesis explores the relation between judgment and action in Arendt’s theory and comprises four main arguments. Firstly, I challenge the argument that there is a shift in Arendt’s theory of judgment from a future-oriented capacity of the actor in her early writings to a backward-looking faculty of the spectator in her late work. I advocate a more continuous reading by showing how the two theories are intertwined throughout her work and present in both phases, early and late.

Secondly, I propose a way of understanding the relationship between judgment and action and between prospective and retrospective judgment. I show that we can find in Arendt many different fields of application of judgment that establish this link (i.e. prospective judgment of the actor, retrospective judgment of the spectator, retrospective judgment of the actor, future-oriented retrospective judgment of the spectator, judgment as action, judgment as a precondition for action, anticipated retrospective judgment of the actor).

Thirdly, I emphasize the in-between location of judgment with regard to the level of rationality (in between subjectivity and objectivity, in between rationality and emotionality) and I explicate the relation of judgment to facts.

Fourthly, I argue that this interpretation of Arendt’s theory of judgment may provide a useful theoretical framework for analysing current political events: it provides concepts that can prove helpful for trying to understand the occurrence of political change, of protest movements and new beginnings for it allows to conceptualize novelty and the consciousness formation processes related to political action.

## Tez Özeti

### Sophie Menasse, “On Hannah Arendt’s Conception of Judgment with Regard to Political Action: An Attempt at Reconciling the Perspectives of Actor and Spectator”

Bu tez, Arendt’in siyasal düşüncesinde yargı ile eylem arasındaki ilişkiyi araştırmakta ve dört temel argümandan oluşmaktadır. İlk olarak, Arendt’in yargı teorisinde erken yazılarındaki gelecek odaklı kapasiteye sahip öznenin geç çalışmalarındaki geçmişe bakma özellikli izleyiciye bir kayma olduğunu savunan argümana karşı çıkıyorum. Her iki teorinin onun çalışmaları boyunca nasıl iç içe geçtiği ve hem erken hem de geç dönemlerinde mevcut olduğunu göstererek daha sürekli bir okumayı savunuyorum.

İkinci olarak, yargı ile eylem ve ileriye ile geçmişe dönük yargı arasındaki ilişkiyi anlamada bir yol öneriyorum. Arendt’de bu bağı (yani öznenin ileriye dönük yargısı, izleyicinin geçmişe dönük yargısı, öznenin geçmişe dönük yargısı, izleyicinin gelecek odaklı geçmiş yönelik yargısı, eylem olarak yargı, eylemin ön koşulu olarak yargı, öznenin öngören geçmişe yönelik yargısı) inşa eden yargının farklı birçok uygulama alanını bulabileceğimizi gösteriyorum.

Üçüncü olarak, akılcılık seviyesiyle ilgili olarak yargının arada olma (öznellik ve nesnellik arasında, akılcılık ve rasyonellik arasında) durumunu vurguluyorum ve yargı ile doğrular arasındaki ilişkiyi açıklıyorum.

Dördüncü olarak, Arendt’in yargı teorisinin bu yorumunun güncel siyasal olayların analiz edilmesinde yararlı bir teorik çerçeve sunduğunu savunuyorum. Söz konusu teori, yeniliği ve siyasal eylemle ilişkili bilinç oluşturma süreçlerini kavramsallaştırmamıza izin vererek siyasal değişim, protesto hareketleri ve yeni başlangıçların oluşumunu anlamaya çalışmakta yararlı olabilecek kavramlar sunmaktadır.

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## GLOSSARY OF GREEK TERMS

ἄρχειν	<i>arkhein</i> , to rule, to act, to begin
δοκεῖ μοι	<i>dokei moi</i> , it seems to me
δόξα	<i>doxa</i> , opinion
κρίνειν	<i>krinein</i> , to decide, to judge, to distinguish
πραττεῖν	<i>prattein</i> , to act, to join in
φρόνησις	<i>phronesis</i> , prudence, political wisdom for Aristotle

## CHAPTER I

### INTRODUCTION

The topic of this thesis initially arose out of an interest in processes of consciousness formation prior to political action. With political action I do not refer to the activities of professional politicians or political parties, but to actions of the people, of citizens, that critically put into question the established system or framework and which therefore contain the possibility for political change and novelty. Which consciousness formation processes, if any, precede such political action? Although this is a much too broad and general question for an MA thesis, it nevertheless forms the background and framework of the work at hand.

Many of the classical political theories are based on very rationalistic conceptions of politics, and in many contemporary theories this paradigm is still prevailing, for example in the case of rational choice theory, the liberal paradigm, positivism, or Enlightenment-inspired theories of the subject. These all presuppose (in various shades) that the actor is clearly and rationally deliberating what is the best course of action, and imply that, as long as this deliberation was carried through properly and rationally, it has a necessary, logically following result. The actor has a specific knowledge of the situation and

chooses what is most in his interest according to the information available to him/her.<sup>1</sup>

However, often people choose “wrongly”, e.g. vote for a party that is apparently against their interest. This clearly shows that there is a problem in these theories. Reality is more complex and often people are not able to choose rationally. Theories of ideology and hegemony tried to explain this phenomenon. They may be one of the theories most explicitly concerned with consciousness formation processes and also with political change. The key argument in these theories is that consciousness and thinking structures of an individual are shaped by the structures of civil society (church, media, school, etc.).<sup>2</sup>

Very structuralist theorizations of hegemony, like that of Chantal Mouffe and Ernesto Laclau, if taken seriously and thought through strictly, encounter the following difficulty: If we conceptualize the working of power and the functioning of state and civil society apparatuses in such terms, and if subjectivity is not pre-given, but rather created through the mechanisms of power or through the hegemonic discourse in a social field, then we can no longer conceive of the subject as a political actor – a potential solicitor of political change. If, furthermore, we neither want to claim that change is inherent in the structures of power/society/discourse and thus a historical

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<sup>1</sup> Also theories that focus on altruistic behaviour are by no means exempt from this emphasis on rationality. In this case people simply don't deliberate on what is best for themselves but what is best for everyone.

<sup>2</sup> Cf. e.g. Antonio Gramsci, *Selections from the Prison Notebooks*, ed. Q. Hoare & G. N. Smith (New York: International Publishers, 2010); or Chantal Mouffe & Ernesto Laclau *Hegemony and Socialist Strategy* (London, New York: Verso, 2001).

necessity it becomes difficult to conceive of the possibility of political change, which nevertheless forms such a central concern of the authors. In these theories, strictly speaking, it is not clear where the space for novelty or the space for thought that transcends the existing structures and the established political order can come from.

Of course, the concept of hegemony was introduced by Marxist thinkers, who were interested first and foremost in political change, i.e. in bringing about the workers' revolution. Gramsci, for example, wanted to use his insights into the workings of hegemony for furthering the success of the communist party. Less rigid theorisations of hegemony, like that of Gramsci, still allow for political change but are able to do so only under the presupposition that those politically most active and involved (be it established politicians, be it activists) have thorough insight and knowledge because they create, sustain, or work against a specific hegemony.

In my BA graduation paper I was engaging these theories and asking how such an insightful consciousness can arise, that can position itself critically towards the established hegemonic order. Now I see that this question was naïve. Such a critical consciousness is not necessary for political change. I was asking the wrong question.

What awakened me from my dogmatic slumber was a talk by Tawakkul Karman given at Bogazici University in Spring 2012. Tawakkul Karman is a human rights activist, leader of the uprisings against the regime in Yemen, and winner of the Nobel Price for Peace in 2011. Hearing her talk was astonishing for me, as for most other members of the academic audience. It was apparent that she had no insights into politics apart from some activist-populist slogans.



She had no knowledge of international matters and relations, not even those with immediate effect on Yemeni politics. And apparently she does not need any such knowledge in order to be a successful leader of a political movement. She doesn't need this kind of critical consciousness that has thorough insight and a full understanding of what is at stake.

The assumption that critical thinking of a big part of society necessarily foregoes every large-scale political resistance may, therefore, appear questionable.

It might be argued that it usually does not happen that a significant part of a society is (capable of) critically analysing the political and social reality; that, on the contrary, the big majority of any ordinary society is going through life without such critical reflection of their situation. The idea of critical thought as a palpable reality for and potential capability of everyone, it might be argued, is an out-dated enlightenment thought that proved to be an utopia. The political success and significance of populism shows that many (probably most) people are persuaded easier by dogmatic slogans drawing on prejudices and emotions than by reasonable argumentation and analysis.

In the case of opposition and resistance movements, the situation is not (necessarily) much different. Indeed, even the leaders of such uprisings are not necessarily critically thinking individuals with the full understanding and insight – even less the masses that follow and join in to these movements. Many academic studies of revolutions come to such conclusions: Skocpol, for example, argues that revolutions do not occur through a conscious, purposive decision on the side of the actors. Rather, revolutions have to be understood as non-

voluntarist, non-purposive events.<sup>3</sup> To underlay this claim, she approvingly cites Wendell Phillips, who said that “revolutions are not made; they come.”<sup>4</sup> Becher, too, makes a similar claim when he writes that “revolutionary movements rarely begin with a revolutionary intention.”<sup>5</sup>

These historical-empirically based studies of revolutions therefore appear to be in disagreement with the political theories shortly discussed above. While many political theories paint a very rationalistic picture of political actors (either as a characteristic of everybody, like rational choice theories and the like, or of the elite minority, like for example some Marxist theories of revolution, especially Lenin and arguably also some versions of theories of hegemony) the classical literature on revolution seems to doubt that such thorough insight and aim-directedness plays any role at all in the coming about of revolutions. Those structuralist theories that deal more with consciousness formation processes that are shaped by power and the state, on the other hand, have trouble to account for political agency, novelty and change.

In order to theoretically understand the occurrence of political change, and especially the consciousness formation processes forgoing political action, we need a theory that can account for novelty and change, but that at the same time is also saying something about consciousness formation processes. Hannah Arendt's political theory encompasses both: Concepts like novelty, spontaneity,

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<sup>3</sup> Theda Skocpol, *States and Social Revolutions. A Comparative Analysis of France, Russia, and China* (Cambridge: Cambridge University Press, 1979), pp.14ff.

<sup>4</sup>Ibid., p. 17.

<sup>5</sup> Jeremy Becher, *Strike!* (San Francisco: Straight Arrow Books, 1972), p. 240.

freedom and action play a key role in her thought. While one of her most famous books investigates the *vita activa*, her last opus addresses *the life of the mind*. The *vita activa* encompasses labour, work and action. Action, for Arendt, is always political action, in the sense that it is also of interest for us: With political action Arendt refers not to the individual actions of politicians or parties. Politics is characterized for her by plurality and action is acting together of people, of citizens. Acting is closely tied in Arendt's theory to the concepts of novelty, spontaneity, freedom, unexpectedness. Therefore, her theory supplies concepts for theorizing political change that many other theories are lacking (or at least not emphasising and hence not theorizing to the same extent).

But my interest actually concerns consciousness formation processes prior to such political action. Her book *The Life of the Mind* is divided into three parts: thinking, willing and judging. But already in her earlier work, different activities of the mind are occasionally discussed, including understanding, cognition and logical reasoning in addition to thought (which in her earlier writings is sometimes used in a broader meaning than how she defines it later in the *Life of the Mind*). With these various distinctions she offers many different types of activities of the mind, allowing for a much more precise discussion of consciousness formation processes prior to political action. An in-depth discussion of these various forms of mind activity will allow us to differentiate between politically relevant and irrelevant forms of thought as well as linking some of these activities of the mind to certain types of political systems rather than others.

The most important aspect of her investigation into the life of the mind, is that the different types of mind activity also possess different levels and

different types of rationality. In that way Arendt's theory can escape the objections raised above against the role of rationality in revolutions. For, judgement – the politically most relevant activity of the mind – differs fundamentally from analytical-logical rationality. It is based on inter-subjectivity, and as we shall see takes a place in-between full objectivity and mere solipsistic subjectivity. Therewith Arendt opens a very promising space for theorizing consciousness formation processes prior to political action that is able to avoid the problems of theories focusing exclusively on a fully rationalistic concept of the actor, but without falling prey to complete irrational subjectivity.

Furthermore, Arendt's theory also avoids the problems of structuralist theories that cannot provide enough space for novelty and cannot explain how thoughts that transcend the status quo can arise. In her theory people are able to mentally transcend their existential conditionality: "Our ability to lie ... belongs among the few obvious, demonstrable data that confirm human freedom. *That we are able to change the circumstances under which we live at all is because we are relatively free from them.*"<sup>6</sup> And again, more broadly:

Men, though they are totally conditioned existentially – limited by the time span between birth and death, subject to labour in order to live, motivated to work in order to make themselves at home in the world, and roused to action in order to find their place in the society of their fellow-men – can mentally transcend all these conditions, but only mentally, never in reality or in cognition and knowledge, by virtue of which they are able to explore the world's realness and their own.<sup>7</sup>

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<sup>6</sup> Hannah Arendt, *Between Past and Future* (New York: Penguin Books, 2006), p. 246, emphasis added. Hereafter referred to as BPF.

<sup>7</sup> Hannah Arendt, *The Life of the Mind* (New York: Harcourt, Inc., 1978), I, p. 70f. Hereafter referred to as LM.

The mind is free to transcend the life realities of the individual and not fully conditioned by them. Arendt goes on to explain in which way people are able to mentally transcend their conditions: “They can *judge* affirmatively or negatively the realities they are born into and by which they are also conditioned; they can *will* the impossible, for instance, eternal life; and they can *think*, that is, speculate meaningfully, about the unknown and the unknowable.”<sup>8</sup>In judgement the individual can transcend his or her particular situatedness and reflect critically upon his or her life conditions. In volition and thought the individual can even transcend the tight limits of possibility and impossibility, and the limits of knowledge.

In the next sentence Arendt explains how this freedom of the mind is connected with action: “And although this [the transcendence of the mental activities of judging, willing and thinking, note] can never directly change reality ... the principles by which we act and the criteria by which we judge and conduct our lives depend ultimately on the life of the mind.”<sup>9</sup>Despite the fact that Arendt repeatedly emphasises that there is a radical difference between acting and thinking (“there is no clearer or more radical opposition than that between thinking and doing”<sup>10</sup>), she offers a way in which we can understand judging in particular and the life of the mind as a whole as (at least part of) the consciousness formation process by which we arrive at principles for action,

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<sup>8</sup> Ibid. p. 71, emphasis added.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

and criteria according to which we conduct our lives. Arendt's theory, therefore, appears as a very promising foundation for our investigation.

The project at hand is also interesting for reasons inherent in Arendt's own theory: Arendt's political theory emerges out of her need to come to grasp with her historical experience: totalitarianism. The *Life of the Mind* is no exception: it was triggered by her experience of Eichmann's "thoughtlessness"<sup>11</sup>. An analysis of thinking was important to her in order to understand what had happened in the Third Reich, i.e. why people, as she saw it, were not thinking, not really reflecting and questioning political reality and socially accepted standards. Judging, for her, is mainly a backward oriented activity in order to come to grasps with what had happened, and the term understanding<sup>12</sup> in her earlier writings is aiming in the same direction: understanding totalitarianism.

Yet, the thoughtlessness of Eichmann implies that thought (or its absence) has an effect also on acting. Had Eichmann been thinking, maybe he would have acted differently. Some other passages in her writings suggest a connection between thinking and acting (i.e. a forward orientation of thinking and judging) too. In *The Human Condition*, for example, she writes about the "realm of action" (action, for Arendt, is political by definition) that its "validity and meaningfulness are destroyed the moment thought and action part

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<sup>11</sup> Cf, *LM*, I, p. 3ff.

<sup>12</sup> Cf. Arendt, Hannah, "Understanding and Politics," in *Essays in Understanding*, ed. Jerome Kohn (New York: Schocken Books, 1994), pp. 307-327. Hereafter referred to as UP.

company”.<sup>13</sup> However, Arendt never fully explored this connection between thinking (or judging) and acting. Yet, this question is of vital importance both for understanding Arendt’s own theories as well as for understanding political action.

This thesis is designed to engage Arendt’s theory in a discussion of the relation between activities of the mind and acting. This engagement will to a certain extent transcend Arendt’s own theory since she never explicitly posed this question. This thesis is putting this question to Arendt, but attempts to answer it nevertheless with the hints we can find in her own theory. The question therefore transcends Arendt’s theory, but the answer does not.

The question of the relation of activities of the mind and action, or, more precisely, the importance of activities of the mind for action, i.e. the forward-looking capacity of judgement, is relevant also from a point of view of discussions in secondary literature. Despite much discussion, this question still remains without a clear answer or solution.

One of the main issues in the secondary literature on Arendt’s theory of judgement concerns the differences between Arendt’s early and later work on the subject. Opinions on the matter are diverse, ranging from the assertion that there are two different theories of judgement (the early theory being most commonly characterized as describing a forward-oriented capacity of the actor, while the later theory deals with a retrospective capacity of the spectator) in outright contradiction with each other (e.g. Beiner, Bernstein, Yar), and the softer argument of a shift (d’Entreves, Villa), to the thesis that there is in fact

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<sup>13</sup> Hannah Arendt, *The Human Condition* (Chicago: The University of Chicago Press, 1998), p. 225. Hereafter referred to as HC.

continuity in her work and really just one theory of judgement (to varying extents Taminaux, Marshall, Steinberger, Taylor, Bilsky). Even amongst those authors that claim that there are two distinct theories, there is disagreement on the characterization of the two phases: whether it is a political and a philosophical theory, an early and a late stage, or one conceived from the perspective of the actor and one from that of the spectator. I will argue in favour of a more continuous reading by focusing, after an analysis of concept development in the second chapter, on the relation between judgment and action in the third chapter. On this point, too, opinions in secondary literature are diverse. Some find clear links between judgment and action (Bilsky, Benhabib, Young), some argue that it goes against the grain of Arendt's theory to connect judging and acting (Villa, Wellmer) Some argue that there might be a link, but it remains undeveloped (Bernstein, Dostal). I will follow up on the work of the first group of authors by exploring a wider range of possible connections between judgment and action. I will argue that Arendt's own work, as well as a full explication of the possible connections to be made between several of her concepts, show that there are too many connections between the supposed two theories to be disregarded.

This discussion is also closely linked to a debate concerning the two main sources Arendt used: Kant and Aristotle. Again there are those that see a contradiction and therewith the turn to Kant as problematic (Beiner, Dostal, to some extent Nedelsky), and those that see the shift positively (Wellmer), as well as those that argue that the contradiction between the sources is more apparent than real (Villa, d'Entreves). I agree with the latter. Arendt is using her sources



creatively and takes from them what appeals to her. In fact, I would suggest, she interpreted Kant in an Aristotelean way.

Another related issue is that of rationality. Some authors criticise Arendt's theory for not being rational enough, others praise it for that very fact, others simply read it in a very rationalistic way. I argue that it is precisely the strength of Arendt's theory to be based on something else than the classical instrumental (pragmatic) or logical (formal) kind of rationality.

In what follows, I will reconstruct these four debates in secondary literature in more detail. First, there is the issue of the two theories.

Ronald Beiner<sup>14</sup> argues that there is a tension between Arendt's early conception of judgement (which is seen as an activity of the actor) and her later theorization thereof (where judgement is described as part of the contemplative life and as a quality of the spectator who therewith judges things past). He argues further that Arendt in her late writings and lectures resolved this tension by giving up the idea of a judging actor and focusing fully on a narrower conception of judgement, which is directed backwardly and exercised only by the spectator. According to Beiner, she thus settles for a narrower, less rich, and one-sided theory of judgement, which fails to appreciate the capacity to judge as a capacity of the actor.

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<sup>14</sup>Ronald Beiner, "Hannah Arendt on Judging" in Hannah Arendt, *Lectures on Kant's Political Philosophy*, ed. R. Beiner (Chicago: The University of Chicago Press, 1982), pp. 89-156; Ronald Beiner, "Rereading Hannah Arendt's Kant Lectures" in *Judgment, Imagination and Politics: Themes From Kant and Arendt*, ed. R. Beiner & J. Nedelsky (Lanham: Rowman & Littlefield Publishers, 2001), pp. 91-101; and Ronald Beiner, "Judging in a World of Appearances: A Commentary on Hannah Arendt's Unwritten Finale" in *Hannah Arendt: Critical Essays*, eds. L.P. Hinchman & S. K. Hinchman (Albany: State University of New York Press, 1994), pp. 365-388.

Richard Bernstein,<sup>15</sup> too, sees a clear contradiction between judgment as a mental activity of the spectator and judgement as a faculty of the actor. He explores judgment in relation to opinion and action from the perspective of the *vita activa* (drawing on *Between Past and Future*) and shows how it is related to practical reasoning and the Aristotelean concept of φρόνησις (phronesis) and is concerned with the future, while from the perspective of the *vita contemplativa* it is described as a backward directed activity of the spectator with Kant as source. Bernstein argues that the claim that Arendt changed her mind, or the argument that it is simply a discrimination of two different types of judgements, are facile resolutions that do not work. Bernstein suggests a kind of biographic solution: he argues that Arendt herself was a judging spectator, not a political activist. Hence stems her interest in that perspective. The tension between actor and spectator runs through her entire work and is never reconciled. At times Arendt hints at a possible reconciliation, but it remains undeveloped and unclear. Bernstein concludes by remarking that this tension is not just Arendt's perplexity but that of the entire philosophical tradition and also of our time.

Majid Yar<sup>16</sup> argues as well that there are two accounts of judgement, which seem totally incompatible. But he argues that these two accounts do not correspond to Arendt's early and late work respectively, but rather they correspond to two different models of action in her theory. Judgement as a faculty of the actor (future-oriented, concerned with interest, and exercised

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<sup>15</sup>Richard Bernstein "Judging – the Actor and the Spectator" in Bernstein, *Philosophical Profiles: Essays in a Pragmatic Mode* (Cambridge: Polity Press, 1986), pp. 221-237.

<sup>16</sup>Majid Yar, "From Actor to Spectator: Hannah Arendt's 'Two Theories' of Political Judgement" in *Philosophy & Social Criticism*, 26, no. 1 (2000), pp. 1-27.

together with others) corresponds to a communicative model of action in which debate, speech and persuasion are considered as action. Judgement as a faculty of the spectator on the other hand corresponds to an expressive model of action, which needs a spectator to give meaning to the action. Just like Bernstein, Yar too ends his article with a quote in which Arendt hints at a reconciliation of the two models of judgement. Like Bernstein too, he leaves this quote standing there as a perplexity without any attempt at interpretation or analysis of what this reconciliation could look like.

Maurizio Passarin D'Entreves<sup>17</sup> argues that there are two models of judgment (from the perspectives of actor and spectator respectively, corresponding to early and late writings), which articulate two distinct functions of judgement, but that these two models are not in outright contradiction with each other but rather in a fruitful tension. Even in the more contemplative (i.e. late) description of judgement it does not leave the world (as opposed to thinking) but always remains firmly rooted in practical concerns. Furthermore, spectators (just like actors) exist only in the plural. Hence the opposition as Beiner describes it between the perspective of the politically active actor who is firmly rooted in the world and acts in concert with others on the one hand, and that of the solitary spectator who is fully detached from the world and its events on the other hand, is much too strongly painted. In fact, d'Entreves argues, the opposition is not at all that strong and the two theories are definitely not in contradiction with each other. Furthermore, he points out that Arendt tried to reconcile the two perspectives or theories by arguing that

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<sup>17</sup>Maurizio Passarin D'Entreves, "Hannah Arendt's Theory of Judgment" in d'Entreves, *The Political Philosophy of Hannah Arendt* (London: Routledge, 1994), pp. 101-138.

there is a spectator in every actor and that even in her late writings Arendt never stopped to emphasise the political character of judgement. Thus, d'Entreves disagrees with Beiner's claim that Arendt's concern with judgement as a part of the *vita contemplativa* was at the expense of the *vita activa*. He concludes that Arendt did indeed articulate two models or theories of judgment but that these are not in contradiction with each other and that she articulated a theory of judgement from the standpoint of the *vita contemplativa* in order to approach the same concerns from a more detached and impartial perspective.

Jacques Taminiaux<sup>18</sup> stands on the other side of the debate. He departs from the assumption of a break between political (early) and philosophical (late) writings. He then argues that there is no break in Arendt's writings on judgement, because already the early works are philosophical and the late works too arise out of political stakes. However, this seems to be a rather weak argument, since the main issue for those that advocate a shift in Arendt's writings is not that there was a shift from politics to philosophy but from the point of view of the actor to that of the spectator, while both perspectives are described in a political-theoretical fashion within a philosophical framework. Moreover, Taminiaux does not analyse the development of the key concepts from early to late writings, which could have strengthened his argument that there is in fact continuity rather than a clear break.

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<sup>18</sup>Jacques Taminiaux, "The Philosophical Stakes in Arendt's Genealogy of Totalitarianism" in *Social Research*, 69, no. 2 (Summer 2002), pp. 423-446.

David Marshall<sup>19</sup> offers such an intellectual-historical discussion of Arendt's theory of judgment and shows that her theory can be defended against many criticisms on the basis of her *Denktagebuch*. He argues that there is no meaningful distinction to be made between the judgement of the actor and that of the spectator (against Bernstein) and that the hypothesis of a clear shift in her work is overly simple and needs to be rejected (against Beiner).

Similarly, Peter Steinberger<sup>20</sup> provides an analysis of judgment as it emerges from Arendt's account of political action, i.e. her early work (esp. *Human Condition*). He shows that Arendt's understanding of politics requires a particular type of thinking, i.e. judgment. Thus he counters the argument that Arendt turned away from action to philosophy, i.e. that there is a shift in her writings. Rather he advocates a continuous reading, by showing the relevance of judging in her early works on action as well as arguing that *The Life of the Mind* does not exclusively concern the *vita contemplativa* since each of the faculties plays an important role in the *vita activa* as well. Otherwise political actors would merely be "mindless zombies"<sup>21</sup>.

Dianna Taylor<sup>22</sup> argues, similarly like Taminiaux, that there is no break or rupture because Arendt's late work is still political, i.e. that although Arendt reformulated her notion of judgement, she did not depoliticize it. Taylor thus

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<sup>19</sup>David Marshall, "The Origin and Character of Hannah Arendt's Theory of Judgment" in *Political Theory*, 38, no. 3 (2010), pp. 367-393.

<sup>20</sup>Peter Steinberger, "Hannah Arendt on Judgment" in *American Journal of Political Science*, 34 no. 3 (1990), pp. 803-321.

<sup>21</sup> Ibid. p. 810.

<sup>22</sup>Dianna Taylor, "Hannah Arendt on Judgment: Thinking for Politics" in *International Journal of Philosophical Studies*, 10 no. 2 (2002), pp. 151-169.

criticizes Beiner's claim that the late conception of judgement is politically relevant only in rare times of crisis (i.e. barely ever). She argues that crises are neither rare nor short and that hence judgment (even in the late formulation) is of general political relevance. In other words: Arendt in fact politicizes Kant's conception of judgement. Taylor also criticizes Beiner's claim that the Kant Lectures are a reliable source for knowing what Arendt would have written in the third volume of *The Life of the Mind*.

Leslie Paul Thiele<sup>23</sup> argues that judgement is both retrospective and prospective and that it functions as a guide for political action.

Dana Villa<sup>24</sup> argues against a strict distinction between early and late writings, but he does argue for a sharp distinction between judging and acting as well as between judging and thinking. According to Villa, judgement is neither a form of political action nor a *method* of thinking. It is political in the limited sense that it helps to break free of public opinion, which often underwrites political evil. But it is neither aiming at nor producing action. In both phases (early and late) judgement is described as independent and autonomous. In both instances (of actor and spectator) judgement always remains a *δοκεῖ μοι*, an it-seems-to-me. It is concerned with the truth *in* opinion not with truth as opposed to opinion. Finally, judgement is an expression of moral taste, a capacity for discrimination, for choosing our company. Since judgement is never yielding the truth but merely a more impartial (i.e. more

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<sup>23</sup>Leslie Paul Thiele, "Judging Hannah Arendt: A Reply to Zerilli" in *Political Theory*, 33 no. 5 (2005), pp. 706-714.

<sup>24</sup>Dana R. Villa, "Thinking and Judging" in Villa, *Philosophy, Politics, Terror: Essays on the Thought of Hannah Arendt*(Princeton: Princeton University Press, 1999), pp. 87-106.

valid) δοκεῖ μοι the standpoints of actor and spectator are merely two poles of the more inclusive phenomenon of judgement. Villa charges Bernstein and Beiner for disregarding Arendt's overarching narrative about the decline of the public realm in the modern age. The shift in focus in Arendt's writing can be explained with the fact that the possibilities for action have been curtailed in our modern world, while judging as a spectator still remained an option. That's why, according to Villa, the spectator takes precedence over the actor in Arendt's later texts.

This whole discussion is closely related to the question of the relation between thinking, judging, and acting (and also to evil and ethics).

Leora Bilsky<sup>25</sup>, for example, argues against Beiner and Bernstein that there is continuity between Arendt's theory of action and her theory of judgement and that the tension between the perspective of actor and spectator respectively should not be resolved in order not to lose sight of the fact that Arendt's theory of judgment is "directly informed by her understanding of action and her experience of legal judgment."<sup>26</sup> Bilsky defines three links between acting and judging. First, natality: the actor can initiate new beginnings and the spectator (judge) has the capacity to judge the new. Secondly, plurality is the condition of both action (acting in concert) and judgement (enlarged mentality). Thirdly, narrativity: action produces stories, and judgement narrates

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<sup>25</sup>Leora Bilsky, "When Actor and Spectator Meet in the Courtroom: Reflections on Hannah Arendt's Concept of Judgement" in Beiner & Nedelsky (eds), *Judgment, Imagination, and Politics*, pp. 257-185.

<sup>26</sup>Ibid. p. 259.

stories. In addition, both action and judgment is located between the individual and the community as well as between the particular and the concept.

Furthermore, there are three aspects that blur the actor/spectator divide. First, time: since there is never a final, stable endpoint from which to look back and judge, judgment is never purely retrospective. Judgment remains within human time, the judge is never an umpire fully outside time. Secondly, there is the spatial dimension: judgement remains anchored to the public realm (unlike thinking) and presupposes a plurality of judges. Thirdly, taste introduces a subjective component into judgment. Thus the difference between the involvement of the actors in action and the uninvolved spectators becomes one of degree.

As a way of reconciling the perspectives of actor and spectator, Bilsky quotes Arendt who says that a “spectator sits in every actor”. Bilsky argues that the actor takes into account the judgement of spectators when deliberating about his future actions. Likewise the spectator takes into account the perspective of the actor when judging an action. Thus, “the ideal of reflective judgment is constituted by a reciprocal movement between the perspective of actors and spectators.”<sup>27</sup> And indeed, the post WWII trials presuppose that reflective judgment can be practiced equally well by spectators and actors. This assumption alone justifies the punishment by *ex post facto* laws.

Robert Dostal<sup>28</sup> sees judgment as the bridge between thought and action. He makes his argument by reference to the last paragraph of *Willing* in which

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<sup>27</sup>Ibid. p. 276.

<sup>28</sup>Robert Dostal, “Judging Human Action: Arendt’s Appropriation of Kant” in Beiner & Nedelsky (eds), *Judgment, Imagination, and Politics*, 139-164.



Arendt says that judgment is the faculty with which we embrace our freedom. Furthermore, he argues that actor and spectator are the same person, and that judging becomes action by default in the form of passive resistance. However, Dostal also claims that judgment does not direct action but rather obstructs it and that it does not intensify our participation in the human community but rather separates us from it. This last point, however, is problematic for Arendt clearly states that judgment (as opposed to thought) always remains in the world.

Albrecht Wellmer<sup>29</sup> argues that since retrospective judgment is never final (because there is no stable end-point, the event is never over), there is a possible link with action. However, he argues that Arendt never developed this link between judgment and action for several reasons. Firstly, (and here Wellmer follows Beiner) Arendt saw no prospects for genuine political action and freedom in our contemporary world. Secondly, Arendt's theory of action did not allow for such a link. Thirdly, the Kantian framework did not provide space for that – and this is exactly why Arendt choose Kant as a source, Wellmer argues.

Richard Bernstein<sup>30</sup> points out the issues and difficulties very well, but does not resolve them. He argues that Arendt never satisfactorily answers how thinking, judging, and evil are connected. She asserts that judging depends on thinking, but never justifies the claim that thinking has this liberating effect. In

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<sup>29</sup>Albrecht Wellmer, "Hannah Arendt on Judgment: The Unwritten Doctrine of Reason" in Beiner & Nedelsky (eds), *Judgment, Imagination, and Politics*, pp. 165-181.

<sup>30</sup>Richard Bernstein, "'The Banality of Evil' Reconsidered" in *Hannah Arendt and the Meaning of Politics*, ed. C. Calhoun & J. McGowan (Minneapolis: University of Minnesota Press, 1997), pp. 297-322.

order to illustrate the problem here: Socrates' thinking liberated his faculty of judgment, but Heidegger's thinking did not help him at all to judge the political situation in Nazi Germany. Furthermore, Arendt does not explain why some people are unable to think and judge (like Eichmann), while others retain their ability to think and judge. Bernstein sees here an inner war in Arendt. On the one hand she *wants* to believe that everybody possesses the faculty of judgment, but at the same time she is very critical of that and argues that totalitarianism showed that even this faculty can be lost. In another essay<sup>31</sup> Bernstein traces the relation between thinking and judging by showing how Arendt's "thinking about thinking" developed through several of her early texts. He takes up again the tension between the model of Socrates and that of Heidegger and questions whether we can really suppose that there is an intrinsic connection between thinking and evil. This shows the need for a more precise definition of thinking that allows to differentiate between the thinking of Socrates and that of Heidegger.

Seyla Benhabib<sup>32</sup> develops judgment as a moral faculty through the framework of Arendt's theory of action with emphasis on the key words natality, plurality and narrativity, which all require taking the standpoint of the other. Arendt never linked politics and morality because, as Benhabib argues, she had a quasi-intuitionist concept of moral consciousness. Thus, with Arendt against Arendt, Benhabib develops a phenomenological analysis of judgment as

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<sup>31</sup>Richard Bernstein, "Arendt on Thinking" in D. Villa (ed), *The Cambridge Companion to Hannah Arendt*, ed. Dana Villa (Cambridge: Cambridge University Press, 2000), pp. 277-292.

<sup>32</sup>Seyla Benhabib, "Judgment and the Moral Foundations of Politics in Hannah Arendt's Thought" in Beiner & Nedelsky (eds), *Judgment, Imagination, and Politics*, pp. 183-204.

a moral faculty, establishing a new link between judging and acting, and suggests a dialogic or discursive ethics.

Iris Marion Young<sup>33</sup> develops this communicative ethics further by pointing out that the perspectives are not reversible and not symmetrical (disagreeing with Benhabib here) and argues instead for an asymmetrical reciprocity.

Dana Villa<sup>34</sup> wants to retain a sharp distinction between judgment and action, because if we collapse this distinction and directly link thought and action, it would be an instrumentalization of action, and judgment would not be reflective, but merely determinate (finding the best means to reaching an end). This would eliminate the focus on particular circumstances, remove contingency and the end would justify the means. It would totally distort Arendt's conception of action and judgment. In fact this direct linkage of thought and action and the associated instrumentalization of action and elimination of reflective judgement is the characteristic of ideology.

The discussion concerning the two theories of judgment or the relation between judging and acting is closely related also to a debate concerning the two main sources of Arendt: Aristotle's concept of *φρόνησις* (phronesis) versus Kant's theory of judgement. It seems that when Arendt is discussing judgment from the point of view of the actor she uses Aristotle as a source, while with her

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<sup>33</sup>Iris Marion Young, "Asymmetrical Reciprocity: On Moral Respect, Wonder, and Enlarged Thought" in Beiner & Nedelsky (eds), *Judgment, Imagination, and Politics*, pp. 205-228.

<sup>34</sup>Villa, "Thinking and Judging."

turn to Kant she takes over from him the focus on the spectator. Accordingly there are those scholars that argue that her turn to Kant is problematic because it doesn't allow her to do what she actually wanted to do or that she can do so only by violating Kant's philosophy (Beiner, Dostal, to some extent Nedelsky), and those that say she turned to Kant precisely because she wanted to shift the focus (Wellmer), as well as those that argue that the contradiction between the two sources is more apparent than real (Villa, d'Entreves).

Ronald Beiner<sup>35</sup> argues that what Arendt wants to draw from Kant is misleading for two reasons. Firstly, Kant's aesthetic theory is shaped by the ideal of autonomy. This constrains how the community (which is so important for Arendt) can enter in judgment formation, because that would be heteronomous. Secondly, her favourite concepts from Kant (common sense, enlarged mentality, etc) are all transcendental categories in Kant, i.e. they are not at all dependent on social relations but rooted fully within the individual self. In other words, Kant's aesthetics is monological, while Arendt wants to derive from that a dialogical conception of judgment.

Jennifer Nedelsky<sup>36</sup> disagrees with Beiner's claim that Arendt destroys autonomy. She argues that Arendt has a different understanding of autonomy than Kant, i.e. relational autonomy. Taking into account the standpoints of others is the basic condition of autonomous judgment. In this conception, autonomy is based on constructive relationships with others in order to liberate oneself from private idiosyncrasies.

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<sup>35</sup>Beiner "Rereading Hannah Arendt's Kant Lectures."

<sup>36</sup>Jennifer Nedelsky, "Judgment, Diversity, and Relational Autonomy" in Beiner & Nedelsky (eds), *Judgment, Imagination, and Politics*, pp. 103-120.

Robert Dostal<sup>37</sup> contests the appropriateness of Kant for Arendt's purpose. He claims that Arendt violates Kant's philosophy for many reasons: Arendt misunderstands Kant's stance on revolution. She rejects the rationality of the will and Kant's ethics. There is more judgment and humanity in Kant's moral philosophy than Arendt allows and less in aesthetic judgment than she suggests. For Arendt judgment is non-cognitive and non-conceptual while for Kant it supposedly is cognitive and conceptual (I will contest this reading further down). Furthermore, Arendt is wrong in saying that Kant abandons the classical few/many distinction with priority to philosophy over politics (i.e. that philosophy is a merit only of the few, who therefore should also rule the public realm). Arendt is in favour of rhetoric, while Kant is against it. And finally, Arendt's appropriation of the *sensus communis* is wrong because for Kant it is neither objective, nor external, nor social. While I agree that Arendt fundamentally changed the meaning of the *sensus communis* and that for her it is social, I will contest the claim that it is objective.

Wellmer<sup>38</sup> (as already discussed above), argues that Arendt chose Kant precisely because of the limitations it provided. It is because she wanted to discuss the faculty of judgment from the perspective of the spectator and because she did not want to develop the link between judgment and acting that she chose Kant as a source.

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<sup>37</sup>Dostal, "Judging Human Action."

<sup>38</sup>Wellmer, "Hannah Arendt on Judgment."

D'Entreves<sup>39</sup> argues that the opposition between the two sources Kant and Aristotle is more apparent than real. After all, both theories highlight concern with the particular qua particular. Of course, he continues, Beiner is correct to highlight deficiencies of a too strict appropriation of Kant. But Aristotle's theory would raise problems too: validity in his theory is a privilege of a few individuals, and there is an appeal to the community as a stable framework of ethos.

Villa<sup>40</sup> argues that there is no tension between the two different sources because "it is simply not the case that Arendt counselled 'common sense', persuasion, and consensus for those in the game, and critical thinking, impartiality, and autonomy for those who were out of it."<sup>41</sup> Villa argues that there is continuity in Arendt's work and hence also continuity between her use of the sources. In the end, her theory is concerned with opinion, with *δοκεῖ μοι*, with independent judgment in a world in which the possibility for action is curtailed.

Another related issue is the question of rationality: as we have seen above, many argue that judgement of the spectator is rational and universal, while judgement of the actor is partial and a mere opinion. Others (see esp. Villa) see continuity between them, the one being more general than the other

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<sup>39</sup>D'Entreves, "Hannah Arendt's Theory of Judgment."

<sup>40</sup>Villa, "Thinking and Judging."

<sup>41</sup>Ibid. p. 99.

but both remaining always partial. Some argue that inherent in Arendt's theory there is a different kind of rationality, a different understanding of it.

Linda Zerilli<sup>42</sup> for example suggests that we need a broader conception of rationality in order to accommodate Arendt's theory. She opposes the critique of Habermas and Beiner that Arendt's conception of judgment excludes argumentation and rationality from the sphere of politics and that it does not provide standards for validity. According to her Arendt does not exclude argumentation, but only proofs from the political sphere. She relies on Cavell's definition of rationality as agreement in patterns rather than conclusions and argues that the rationality in Arendt's theory lies in the fact that we have to be able to support our judgments by arguments (agreements in patterns) but that these arguments do not necessarily lead to an acceptance of the conclusion. Affirmation in judgment is experienced as pleasure and shared sensibility because we judge in freedom.

Wellmer<sup>43</sup> offers a very rationalistic reading of Arendt. He too calls for a broader conception of rationality that is holistic and contextual. He describes judgment as the "faculty to hit upon the truth when there is no context of possible arguments by which truth claims could be redeemed."<sup>44</sup> And whether a judgment was good or bad is decided by proofs, by whether or not the judgment turns out to have been right.<sup>45</sup> This argument is very dubious in light of Arendt's

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<sup>42</sup>Linda Zerilli, "'We Feel Our Freedom': Imagination and Judgment in the Thought of Hannah Arendt" in *Political Theory*, 33, no. 2 (2005), pp. 158-188.

<sup>43</sup>Wellmer, "Hannah Arendt on Judgment."

<sup>44</sup>Ibid. p. 169.

<sup>45</sup>Ibid. p. 177.

writings on the matter: such a proof by facts is possible for knowledge claims, but when applied to judgments about art or politics (in the Arendtian sense of the word) this statement becomes absolutely meaningless – it works, no doubt, in the field of political science (which, like knowledge, is concerned with facts), but that is hardly what Arendt referred to when she was writing about politics.

Nedelsky<sup>46</sup> stresses the focus on particularity and the importance of affect and emotion in reasoning. She refers to Gilligan's call for focusing on particularity and context, which brings forth a new type of reasoning (the ethics of care as opposed to the ethics of justice). Nedelsky argues that we need to rethink the role of the body with all its difference and particularity. She refers to the neurologist Damasio who showed the important role affect plays in reasoning. The source of affective somatic markers is experience, education, and culture. It is not a product of reflection but an automatic, conditioned response. Nedelsky argues that Arendt's theory can accommodate these aspects and calls for diversity in the judiciary, so that an imagined dialogue with all members includes various affective starting points. Through Arendtian reflective judgment these affective starting points can be transformed and transcended in rational judgment.

Marshall<sup>47</sup> argues that judgment is always close to truth claims in the sense that they form the basis for making truth claims. Reflective judgments create *topoi*, points of shared reference, which make statements about truth possible in the first place.

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<sup>46</sup>Jennifer Nedelsky, "Embodied Diversity and the Challenges to Law", in Beiner & Nedelsky (eds), *Judgment, Imagination, and Politics*, pp. 229-256.

<sup>47</sup>Marshall, "The Origin and Character of Hannah Arendt's Theory of Judgment."



In the following thesis I want to discuss these issues further and explore the relation between judgment and action in Arendt's theory. The thesis comprises four main arguments. Firstly, I challenge the argument that there is a shift in Arendt's theory of judgment from a future-oriented capacity of the actor in her early writings to a backward-looking faculty of the spectator in her late work. I advocate a more continuous reading by showing how the two theories are intertwined throughout her work and present in both phases, early and late. Secondly, I propose a way of understanding the relationship between judgment and action and between prospective and retrospective judgment. I show that we can find in Arendt many different fields of application of judgment that establish this link (i.e. prospective judgment of the actor, retrospective judgment of the spectator, retrospective judgment of the actor, future-oriented retrospective judgment of the spectator, judgment as action, judgment as a precondition for action, anticipated retrospective judgment of the actor). Thirdly, I emphasize the in-between location of judgment with regard to the level of rationality (in between subjectivity and objectivity, in between rationality and emotionality) and I explicate the relation of judgment to facts. Fourthly, I argue that this interpretation of Arendt's theory of judgment may provide a useful theoretical framework for analysing current political events: it provides concepts that can prove helpful for trying to understand the occurrence of political change, of protest movements and new beginnings for it allows to conceptualize novelty and the consciousness formation processes related to political action.

I will try to find a possible reconciliation of Arendt's "two theories of judgement" by exploring in detail the relations and interconnections (but also

differences) between thinking, judging, and acting. That such a reconciliation is possible according to Arendt (even if she never developed it in detail) is shown by quotes such as the following:

It is by virtue of this idea of mankind, present in every single man, that men are human, and they can be called civilized or humane to the extent that this idea becomes the principle of their actions as well as their judgments. It is at this point that the actor and the spectator become united; the maxim of the actor and the maxim, the “standard” according to which the spectator judges the spectacle of the world become one.<sup>48</sup>

Both Bernstein and Yar argue that there are two different exclusive theories of judgment, and both end their essay with the above quote. Both concede that the quote is hinting at a possible reconciliation, but neither of them continues to look into this possibility. Neither of them really discusses the quote or offers an interpretation. I want to start where they end, and look into possible ways in which the two theories can be reconciled and in which action and judgment can be connected. I will follow Nedelsky in her stress of the role of affect in judgment, and Villa in his argument that judgment is always remaining an opinion, a *δοκεῖ μοι*, and never a truth claim.

In order to discuss the possible connection of actor’s and spectator’s judgment, I will start in the second chapter with a kind of genealogy tracing the development of the concepts of thought and judgment in Arendt’s work. In this analysis I will argue that there are aspects of the “late” theory already present in the early texts. On this basis, the third chapter will then explore the connections between judging and acting and the judgment of actor and spectator provided in Arendt’s late work. I will show that there are a number of hints at reconciliation of the two theories even in the late works that cannot be disregarded. The

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<sup>48</sup>*LM*, II, p. 271.

argument that Arendt completely changed her theory and excluded completely the perspective of the actor in her late writings is, therefore, problematic to hold. Thirdly, throughout both chapters I will show that (if we wish to highlight the differences) there are much more than two theories of judgment, and picking out two and juxtaposing them, seems therefore rather random. I will argue that Arendt's theory is very rich and multi-layered and that paying attention to those various aspects with all the problems and contradictions, but also (and importantly) with all the links and reconciliations, we can get much closer to a "true understanding of [Arendt's] problems and insights" and also we can salvage elements of a theory that is much more interesting for analysing and discussing political reality and the issues of our time. I will therefore argue against the claim that there exist two theories of judgment in favour of a more continuous reading that allows us to understand judgment as a faculty of the actor as well as of the spectator, as retrospective as well as prospective. Moreover, I will argue that there is no contradiction between in Arendt's use of the sources Aristotle and Kant, and that it is important to understand the benefits of conceptualizing judgment not as fully rational, but as in-between subjectivity and objectivity and in-between emotions and rationality. Throughout the entire discussion I will repeatedly turn to Kant as well, who was the prime inspiration for Arendt's theory of judgement.

This thesis will thus try to add to an important discussion in secondary literature on Arendt's theory of judgment, helping to get a better understanding of what was at stake for her by looking deeply into the problems and difficulties of her theory. For as Arendt says, "such fundamental and flagrant contradictions rarely occur in second-rate writers, in whom they can be discounted. In the

work of great authors they lead into the very centre of their work and are the most important clue to a true understanding of their problems and insights.”<sup>49</sup>

This thesis is thus an exploration of the very centre of Arendt’s theory in the sense described above. But at the same time I hope that this analysis will provide useful concepts and ideas for understanding consciousness formation processes that forgo political action and thus form a condition of possibility of political change. As such this thesis is an in-depth study of certain problems and difficulties of Arendt’s theory of judgment, but at the same time also suggesting some elements that may prove helpful for analysing and discussing recent political and social developments, processes or even transformations of our political reality today.

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<sup>49</sup>*BPF*, p. 24.

## CHAPTER II

### CONCEPT DEVELOPMENT IN ARENDT'S WORK

#### Introduction

The question of the “two theories” of judgment is closely connected with the issue of the relation between thinking, judging and acting. When these relations are clarified we can discuss better whether there is really such a strong contradiction between the judgments of actor and spectator respectively. Secondly, the issue is closely linked to the concept development in Arendt's work, i.e. to the differences in the usage of the concepts ‘judging’, ‘thinking’, etc. between Arendt's “early” and “late” work. This chapter attempts to discuss both these aspects in order to set the ground for an in-depth discussion of the two-theories-argument in the subsequent chapter.

In this chapter I will discuss the various activities of the mind distinguished by Hannah Arendt, as they appear in her work. I will thereby proceed chronologically, starting in the first part of the chapter with the distinction between logical reasoning, cognition, and thought introduced in the *Human Condition*. For a better understanding of these concepts, I will turn to *Origins of Totalitarianism* and “Understanding and Politics.” These early works do not focus on activities of the mind and accordingly these concepts do not play

a central role in them. Nevertheless, these texts can give some insights into the concept development and are therefore relevant for making any claim about the “two theories”. In the second part, I will then turn to the concepts of thinking and judging as they are described in the essays collected in *Between Past and Future*. These essays take an ambiguous location in the chronological debate: they are usually still counted among the early works, i.e. corresponding to the first theory of judgment. However, some of them were written after *Eichmann in Jerusalem*, which is usually considered as the turning point. But not only chronologically, also theoretically speaking their location is ambiguous: In some of these texts judgment is already described in a way close to the “late” formulation. The third part of the chapter will then deal with Arendt’s late work, i.e. *The Life of the Mind* and the *Lectures on Kant’s Political Philosophy*. Here I will draw the reader’s attention not only to the final definitions of thinking and judging in Arendt’s work, but also to Kant’s differentiation between sensual taste, reflective taste and determining judgement (or conceptual thinking).

I will not devote a special sub-chapter to the *Denktagebücher*, since Marshall already offered an illuminating analysis of the development of the concept of judgment in the *Denktagebücher* to which I cannot add any additional insights.<sup>50</sup> I will of course refer to the *Denktagebücher* and to Marshall’s argument whenever necessary.

In this chronological approach we will see how the definition and usage of the central concepts changed and developed. Not only will we encounter the famous two theories of judgment, but we will also see that the concept of

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<sup>50</sup> Marshall, “The Origin and Character of Hannah Arendt’s Theory of Judgment.”

judgment appears only relatively late in general, and that the concept of thinking is much broader in the early works than in the final formulation in *The Life of the Mind*, encompassing originally also aspects that were later ascribed to judgment. Furthermore, there is the concept of ‘understanding’ in the early works that corresponds very clearly to what later became judgment. We will see that there are many nuances between the various descriptions of the faculty of judgment. I will argue that there are either much more than two theories of judgment or there is simply one that encompasses many different nuances. Secondly, I attempt to show in this chapter that the “early” theory is not at all that clear-cut as described in the secondary literature. In fact, there is an earlier theory (in the *Human Condition*), which in many ways is close to the “late” theory, and secondly, the texts that are generally considered to comprise the “early” theory (*Between Past and Future*) are much more ambiguous, containing in fact aspects of both, “early” and “late”, theory. Therefore, the two-theory-argument appears at least questionable.

With the analysis of concept development, this chapter will follow up on the essays by Marshall, Steinberger,<sup>51</sup> and Bernstein<sup>52</sup> who already provided an analysis of concept development, but they were focusing exclusively on one concept (either thinking or judging) and also only on some of the early works (either the *Human Condition* or *Between Past and Future*). Marshall provides a very good intellectual history on the development of the concept of judgment in Arendt, based mainly on the *Denktagebücher* and lectures she gave on Kant.

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<sup>51</sup> Steinberger, “Hannah Arendt on Judgment.”

<sup>52</sup> Bernstein, “Arendt on Thinking” and “Judging – the Actor and the Spectator.”

Steinberger analyses the concept of judgment as it emerges out of Arendt's theory of action, focusing thereby especially on *The Human Condition*. Bernstein, finally, wrote one essay in which he discussed judgment in *Between Past and Future* as opposed to *The Life of the Mind*, and one essay in which he offers an account of how the concept of thinking developed through various of Arendt's works. However, none of them looks at thinking and judging in *The Human Condition* and *Between Past and Future* and *The Life of the Mind* and other texts. Because of this limited approach they were not able to discuss some of the crucial relations, developments and issues. This chapter will thus expand their approach and argument.

In addition, this chapter is setting the ground for a subsequent discussion of the issue of the relation of judgment and action. In the analysis of the various activities of the mind, I will also pose the question of how they are related to politics (and thus to action). This too is important for a better subsequent discussion of the two-theory-problem, since the main argument is that the later theory of judgment has nothing to do with action anymore. Moreover, this aspect is interesting more generally to understand what is involved in political action.

Arendt writes about political events: "Somebody began it and is its subject in the twofold sense of the word, namely, its actor and sufferer, but nobody is its author."<sup>53</sup> Yet, people are not machines, and *beginning* (e.g. going to the street in protest) is not an automatic response to outer triggers without any

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<sup>53</sup>HC, p. 184.



related activity of the mind. Action always presupposes some foregoing thinking process ('thinking' in the broadest sense here). To say something else would be to argue that acting people are "mindless zombies."<sup>54</sup> Arendt is very clear on that too when she writes about the "realm of action" (action, for Arendt, is political by definition) that its "validity and meaningfulness are destroyed the moment thought and action part company".<sup>55</sup> The question is thus, which kind of thought or activity of the mind we are dealing with here? Since Arendt uses the term "thought" in her early writings in a much broader sense than in the later definition in *The Life of the Mind*. We cannot automatically assume that she refers here to thought as defined in *The Life of the Mind*. We therefore have to inspect the different types of mental activity that she describes in her work and try to figure out which of those is politically relevant and which of those she might have in mind in the above quote. Is the type of thought that is so importantly connected with action a rational-logical type of reasoning, or an opinion, or a type of thinking that is rooted in emotions (like the concepts used very often in populist politics or hate-speeches), or is it knowledge, or instrumental thinking, or philosophical-metaphysical thought, or something different from all these?

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<sup>54</sup> Cf. Steinberger, p. 810.

<sup>55</sup> Ibid., p. 225.

## Activities of the Mind in Arendt's Early Work

In *The Human Condition* Arendt distinguishes between thought, cognition, and logical reasoning. Cognition is aimed at “acquir[ing] and stor[ing] up knowledge”, and its manifestation is science.<sup>56</sup> It “always pursues a definite aim”<sup>57</sup> and “is a process with a beginning and end, whose usefulness can be tested, and which, if it produces no results, has failed”.<sup>58</sup>

Thought, on the other hand, is related to (although not identical with) philosophy and works of art<sup>59</sup>: it “has neither an end nor an aim outside itself, and it does not even produce results; [it is] entirely ‘useless’ – as useless, indeed,

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<sup>56</sup> *HC*, p. 170.

<sup>57</sup> *Ibid.*

<sup>58</sup> *Ibid.*, p. 171.

<sup>59</sup> “Thought, the source of art works, is manifest without transformation or transfiguration in all great philosophy” (*HC*, p. 170). But: “And not even to these useless [art] products can thought lay claim, for they as well as the great philosophic systems can hardly be called the results of pure thinking, strictly speaking, since it is precisely the thought process which the artist or writing philosopher must interrupt and transform for the materializing reification of his work.” (*ibid.*) In other words, the thinking activity of the philosopher or artist prior to the emergence of any resulting work, is thinking in the sense Arendt uses the term. But this thinking activity is interrupted and destroyed the moment that the artist or philosopher starts to attempt to reify it and create a product. Because thinking is characterized by aimlessness and repetitiveness and by the fact that it does not produce results. The moment the artist or philosopher starts aiming at a result, the pure thinking activity ends and is lost. This so because, the moment a thought process is frozen into a final product (e.g. written down in a philosophical treatise) it ends: nothing can be added, it is not alive anymore, it loses its freshness and its dialogic character. Also in the life of the mind, Arendt relates thinking to philosophizing: she calls the philosopher “the *professional* who devotes his entire life to thinking” (*LM*, I, p. 80, emphasis in the original). However, it is important to understand that the philosopher does not hold the monopoly for thinking, on the contrary: for Arendt thinking is a very basic human need and everybody has the capacity for thought and also the capacity for feeling the urge or need to think (not always, but surely sometimes).

as the works of art it inspires.”<sup>60</sup> Both of these differ from logical reasoning, “which is manifest in such operations as deductions from axiomatic or self-evident statements, subsumption of particular occurrences under general rules, or the technics of spinning out consistent chains of conclusions.”<sup>61</sup> Logical reasoning is a “sort of brain power”, called intelligence, which we can measure and which follows the laws of logic with the force of compulsion.

Which of these types of deliberation is politically relevant? In the quote with which we started out at the beginning of the chapter, Arendt said that thought and action should not part company, but we shall see that logical reasoning can also become instrumental in politics – with horrible outcomes. Cognition plays some role in the (politically relevant) process of understanding. We will thus explore the various relations to politics of the different activities of the mind. This will help us understand the specific political relevance of judgment. By discussing the similarities and differences of the various activities of the mind it will become clearer what the stakes are in some of the characterisations of judgment (e.g. why it is so important for Arendt to distinguish between opinion and truth, and why it is a good thing that judgment is not fully objective and rational in the way in which logic is).

A short discussion of logical reasoning, which is to follow, is important because it can function as a kind of negative against which we can construct the concepts of thinking and judging. Opposing these latter activities to the worldlessness and the coercive nature of truth inherent in logic-rational

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<sup>60</sup>HC, p. 170.

<sup>61</sup> Ibid., p. 171.

reasoning, will help to understand the importance of the ideas of inter-subjectivity, opinion, worldliness in the case of judgment. The subsequent discussion of cognition in relation to understanding will help refute the criticism that there is no space for knowledge, facts, cognition in Arendt's theory of judgment. As I will argue that understanding corresponds closely to what Arendt later defines as judgment, and cognition is connected with true understanding (forming it's basis) – a claim that comes back in BPF – we can better understand how judging is related to facts and how they are important for each other, while still clearly retaining their differences and distinctions. The discussion of thinking, finally, will prepare the ground for my argument that thinking in the early works includes those aspects that shall later become judgment and that, moreover, there are already present the elements of the “early” theory of judgment just as well as those of the “late” theory of judgment.

### Logical Reasoning and Totalitarianism

Logical reasoning is, for Arendt, the activity of the mind that corresponds to political ideologies. In totalitarian regimes such ideologies can become dangerous because they are taken literally and implemented. She writes:

Over and above the senselessness of totalitarian society is enthroned the ridiculous supersense of its ideological superstition. Ideologies are harmless, uncritical, and arbitrary opinions only as long as they are not believed in seriously. Once their claim to total validity is taken literally they become the nuclei of logical systems in which, as in the systems of paranoiacs, everything follows comprehensibly and even compulsorily once the first premise is accepted. The insanity of such systems lies not only in their first premise but in the very logicity with which they are constructed.<sup>62</sup>

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<sup>62</sup>Hannah Arendt, *Origins of Totalitarianism* (New York: Meridian Books, 1958), pp. 457f.

In other words, the danger of totalitarian regimes is not so much the particular content of the ideology, rather it is the very form of logicity. It does not matter from which premise you depart, and it also does not matter how crazy and horrible conclusions you arrive at. "Nothing matters but consistency."<sup>63</sup> The totalitarian mind cannot judge anymore whether the content of the conclusions is terrible and ridiculous and dangerous, it can only judge whether or not the argument was consistent and whether it follows the logics. This is so, because totalitarianism kills the potential to think.

Ideology is "quite literally what its name indicates: it is the logic of an idea. Its subject matter is history, to which the 'idea' is applied... . The ideology treats the course of events as though it followed the same 'law' as the logical exposition of its 'idea'."<sup>64</sup> Thus, Arendt uses the term ideology in a narrower meaning than common usage. A ready-made mind-set is not an ideology as long as its logicity is not applied to reality in such a way as to explain the past and predict the future, i.e. as long as reality is not squeezed into the stringent logicity of the ideology.<sup>65</sup>

In order to fit reality into this stringent logicity all coincidence and therewith freedom has to be eliminated. Only then can it be achieved that ideology knows everything – past present and future. For that end the possibility for action (*the* political human activity – as distinguished from labour and work), the capacity to begin something new, to do the "unexpected" and

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<sup>63</sup> Ibid., p. 458.

<sup>64</sup> Ibid., p. 469.

<sup>65</sup> Cf. Margaret Canovan, *Hannah Arendt. A Reinterpretation of Her Political Thought* (Cambridge, Cambridge University Press, 1992), p. 26.

“infinitely improbable”<sup>66</sup>, has to be eliminated and repressed. Action is always unexpected: it is the locus of freedom and springs from everyone’s being unique. The fact that everyone is a new beginning him/herself, endows humans with the capacity to begin something new. However, action is also always dependent on fellow people who join in and carry the action through. This adds unpredictability to the unexpectedness of action. This “notorious uncertainty”<sup>67</sup> of all political matters, is incompatible with the claim of ideologies to explain, encompass, and prescribe all of reality.

Totalitarianism represses action by total terror and thought by the “self-coercive force of logicity,”<sup>68</sup> i.e. ideology. Through this twofold repression totalitarianism can force its subjects into the logics of its ideology and ‘reality’. Total terror leads to a loss of contact with other people. Therewith the capacity for action is lost, since action always depends on a community and an acting-together. Action and speech erect a space of appearance, where people appear to each other, make their appearance explicitly and thereby reveal who (not only what) they are. Terror eliminates this space of appearance between people<sup>69</sup>, and

to be deprived of it [this space] means to be deprived of reality. ... To men the reality of the world is guaranteed by the presence of others, by its appearing to all ... and whatever lacks this appearance comes and passes away like a dream, intimately and exclusively our own, but without reality.<sup>70</sup>

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<sup>66</sup> Cf. *HC*, p. 178.

<sup>67</sup> *Ibid.* p. 182.

<sup>68</sup> Hannah Arendt, *Origins of Totalitarianism* (New York: Meridian Books, 1958), p. 473. Hereafter referred to as OT.

<sup>69</sup> *Ibid.*, pp. 465f.

<sup>70</sup> *Ibid.*, p. 199.

Thus, with the loss of contact with ones fellow humans, one loses not only the ability to act, but also the capacity for experience, for “even the experience of the materially and sensually given world depends upon my being in contact with other men, upon our common sense” which ensures that our particular and subjective sense experience corresponds to those of others and that therefore we can trust it.<sup>71</sup> With the loss of the capacity for experience, one also loses the ability to distinguish between fact and fiction, which is the reality of experience (i.e. one loses the capacity for cognition).

The logicity of ideology, on the other hand, leads to a loss of contact with reality, because it prescribes according to its logical laws how the world is supposed to be and checks only the coherence of the argument, but not the accordance with reality or correspondence with facts. One then lives in a world of ideas, which follow the stringent logicity of ideology without correspondence to reality. In such a situation thought becomes impossible. For thought, despite occurring in solitude, nevertheless relies on the fact that the contact with the world and with the fellow humans is intact, because “they are represented in the self with whom I lead the dialogue of thought.”<sup>72</sup> In order to think, one has to be alone, but in this solitude one is still relating to the world<sup>73</sup> and the community, because thinking, for Arendt, is a dialogue between me and

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<sup>71</sup>OT, p. 475f. Cf. Hannah Arendt, *Lectures on Kant's Political Philosophy*, ed. R. Beiner (Chicago: The University of Chicago Press, 1982), pp. 83f., 71f., 42. Hereafter referred to as LKPP.

<sup>72</sup>OT, p. 476.

<sup>73</sup> Further down this aspect of relating to the world and reality will be clarified. But to anticipate a little: We will see how understanding to some extent relies on factual knowledge (despite transcending it) and judgement is always concerned with the particulars of experience, i.e. with reality and not with abstractions.

myself, in which I relate to and represent the other people, from whom I temporarily retreated (but only spatially, not psychologically).

Therefore, when one loses contact with reality, thought becomes impossible, because one loses the capacity to be in dialogue with oneself where the self represents the world and community. In this case of loss of contact with reality one is no longer alone (in solitude), which is the precondition for thought, but lonely: estranged from the world and deserted by all human companionship. In such a situation one loses the standards of thought, i.e. the capacity to distinguish between true and false.

We already see how in a totalitarian regime the two elements of terror and ideology need and sustain each other: the loss of contact with fellow humans and the loss of contact with reality are closely linked. Negatively, we thus also already see that thought and action (i.e. politics<sup>74</sup>) are related. We will explore this aspect further down, in the discussion of the concept of thinking in the early works. For now it suffices to note the link between logical deduction in ideology, and totalitarianism. The strict logicity in an ideology “taken seriously” establishes an absolute Truth in political and social matters (the issue here is not factual truth of sciences, of course) – which strictly speaking does not exist because this realm is constituted by the unpredictability of human freedom and action. The compulsion of logics is, thus, anti-political because it contradicts the spontaneity of human action and freedom. An absolute Truth in the realm of human relations therefore eliminates not only plurality (which is

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<sup>74</sup> Here and after I am using the term politics in the Arendtian sense, i.e. referring not to institutionalised politics or administration or ruling based on violence, but meaning a space of plurality where people act and act together in a common (shared) world in which they appear and show themselves through actions.



constitutive of politics proper) and action but also the contact with reality, and makes experience and thought impossible.

### Cognition and Understanding

While logical reasoning is concerned with *rational truths* (as long as it stays fully within the realm of ideas) and with the realization of an *absolute Truth* (the moment it enters the realm of human affairs in the form of an ideology – it is only here that logicity becomes dangerous and politically significant), cognition deals with *factual truths*. Cognition always has a clear aim and is defined by usefulness. It is integral part of all work processes, and manifests itself in science. It is an abstraction from experience, which, by subsuming particulars under general rules, aims at grasping what is given to the senses, i.e. at knowledge.

This grasping is fundamentally different from understanding. Grasping is concerned with attaining factual *truth* by categorising: in order to grasp our sense experience we need general categories, otherwise I would not be able to perceive *this* as a table, i.e. I need a concept of what a table is, in order to grasp what I see. Understanding, on the other hand, is concerned with *meaning*: “the latter [the faculty for meaning] does not ask [like the faculty of cognition, note] what something is or whether it exists at all – its existence is always taken for granted – *but what it means for it to be.*”<sup>75</sup>

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<sup>75</sup>LM, p. 57, emphasis in the original.

The political relevance of cognition is confined to its intimate relation to the world:<sup>76</sup> cognition deals with experience and reality (albeit in an abstract way – “erect[ing] artificial barriers”<sup>77</sup>). As such, factual knowledge can help to counter the worldlessness or loss of world of totalitarian logicity. It can aid to avoid indoctrination and totalitarianism.<sup>78</sup> Moreover, knowledge is (despite distinct from it) a part of the process of understanding. As “the other side of action,” understanding is a very political capacity, “namely that form of cognition ... by which acting men (and not men who are engaged in contemplating...) eventually can come to terms with what irrevocably happened and be reconciled with what unavoidably exists”.<sup>79</sup>

Understanding is concerned with meaning in order to reconcile us with reality and make us feel at home in the world. As such understanding transcends knowledge, but nevertheless it is also based on knowledge. And cognition in turn, cannot proceed without a preliminary understanding (in the discussion of totalitarianism above we have already seen the importance of a common sense even for the mere perception of reality).

Preliminary understanding, based on common sense, formulates a first assessment of an event, i.e. a sort of pre-judice or a commonplace. Cognition (the quest for knowledge, science) starts out from this preliminary assessment. Only thanks to this can science formulate its questions and begin to approach

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<sup>76</sup> „The intellect, the organ of knowledge and cognition, is still of this world“, *LM*, p. 60.

<sup>77</sup>*UP*, p. 323.

<sup>78</sup> See *UP*, p. 308f, esp. endnote 2: „Facts must be enough .... The actual fight against totalitarianism needs no more than a steady flow of reliable information.“

<sup>79</sup>*UP*, pp. 321f.

reality in its quest for knowledge. Science always already presupposes something. And this something is rooted in preliminary understanding. True understanding, however, has to transcend the mere data and factual truth collected by cognition in order to return back to common sense and provide meaning.<sup>80</sup>

Understanding makes knowledge meaningful. Knowledge, on the other hand, makes it possible to achieve a true understanding that transcends the immediacy of prejudice and preliminary understanding. This is the limited political significance of cognition, which in itself (because of its aim- and use-orientedness, its having a clear end, and its abstractness) is apolitical.

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<sup>80</sup> This is in some way similar to the distinction between determining and reflective judgment in Kant (see further down in the discussion of judgment in Arendt's late work), which Arendt refutes (cf. Marshall, pp. 380f, 373f, 371f.) Determining judgment is cognition (both for Kant and Arendt). But Arendt doubts that any determining judgment is possible without a prior reflective judgment, i.e. all cognition is based on a prior reflective judgment (parallel to preliminary understanding) that prepares the ground for a determining judgment. And although reflective judgment is never said explicitly to be based on determining judgment in the way in which true understanding is based on cognition, Arendt arguably had a similar mechanism in mind because judgment does give meaning and transcends mere factuality.

## Thought

### Thought in *The Human Condition*

In *The Human Condition*, Arendt introduces thought as being related to philosophy and works of art. It is characterized by being 'useless', without aim, without results and without end. It becomes relevant whenever we transcend the realm of mere utility and functionality. Appearing always transcends this functionality, for nothing can appear without a shape of its own, which can be beautiful or ugly. And this aesthetic quality goes beyond the functionality of the object. Hence appearing always transcends mere utility. And appearing for humans means acting.

In this realm beyond functionality, thought becomes vital. First of all, as inspiring a preserving force, that allows the futile to endure. Of course, the moment it produces a product pure thought dissolves and disappears. In that sense, pure thought can never preserve anything, because it cannot produce any durable object itself. Nevertheless, thought is related to (not identical with) art and philosophy and "thought, therefore, ... *inspires* the highest worldly activity of homo faber."<sup>81</sup> In that sense it plays a (inspiring) role in preserving action and speech:

acting and speaking man need the help of *homo faber* in his highest capacity, that is, the help of the artist, of poets and historiographers, of monument builders or writers [all inspired by – despite transcending – thought, note],

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<sup>81</sup>HC, p. 171, emphasis added.

because without them the only product of their activity, the story they enact and tell, would not survive at all.<sup>82</sup>

To provide endurance to those aspects of life, which are not determined by life's necessity or based on the functionalism of things produced for consumption, is crucial because only through these elements the world becomes a home for humans.

Secondly, thought not only inspires the preservation of the stories, but also the activity that gives them meaning.

As we have seen,

- (1) "Thought ... inspires the highest worldly activity of homo faber."
- (2) Amongst the highest worldly activity of homo faber is the activity of historiographers ("the help of *homo faber* in his highest capacity, that is, the help of the ... historiographers")
- (3) Therefore, thinking inspires historiography.

Now, Arendt writes that "its [the story that an action begins] full meaning can reveal itself only when it has ended."<sup>83</sup> Those involved never fully understand the event. Both, the story and the personality of the actors (*who* the actors were) fully disclose themselves only after the end of the story. Despite the fact that the actor is disclosing himself in the action, who he is may remain hidden to himself.<sup>84</sup> In order to understand both the meaning of the event, as well as who the actors are, we need an outward glance of a spectator: "Action

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<sup>82</sup> Ibid., p. 173.

<sup>83</sup> Ibid., p. 192.

<sup>84</sup> Ibid., p. 179.

reveals itself fully only to the storyteller, that is, to the backward glance of the *historian*, who indeed always knows better what it was all about than the participants.”<sup>85</sup>Based on these arguments of Arendt, we can construct another syllogism:

- (1) The activity of the historian gives meaning to the events (or rather: the historian – thanks to his backward glance, thanks to being a mere spectator and not an actor actively involved in the event – is able to understand the meaning of an event. (See quotes above).
- (2) Thinking inspires historiography. (Conclusion of previous syllogism).
- (3) Therefore, thinking inspires the meaning giving activity, which is based on the backward glance of the spectator (the historian).

Thus, in *The Human Condition*, thought (as an after-thought)inspires the activities that give meaning and permanence to action and speech and thereby erect a home on earth for humans. Thought *inspires* these activities, but of course thought is not identical with the building of monuments and the writing of stories and history, just as it is not identical with the production of artworks and the writing of philosophical treatises. The moment these activities arise as producing products, they transcend the circularity and uselessness of pure thought. The activity forgoing the productive phase, nevertheless, is inspired by

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<sup>85</sup>Ibid., p. 192, emphasis added, cf. p. 186.

thought: Just as thought “is manifest ... in all great philosophy,”<sup>86</sup> so it “inspires the highest worldly productivity of homo faber”<sup>87</sup> – without thought ever being able to lay claim on the products of homo faber, because they still transcend thought. Here we can see already the germs of what shall become Arendt’s “late” theory of judgment.

### Thought in *The Origins of Totalitarianism*

We also came across the concept of thought in the discussion of totalitarianism. There we saw that thinking is always a two-in-one, a dialogue between me and myself, which is carried out in solitude. Nevertheless, thought never loses contact with reality and with fellow humans, because the self represents them in thought. We differentiated between solitude and loneliness. Solitude is the condition for thought. It is the temporary and voluntary retreat from people (in which the world and fellow humans are never lost) in order to be alone with oneself.

Loneliness, on the other hand, is the condition created by totalitarianism, in which people are estranged from the world and from each other – not only politically, but also socially. It is this situation that eliminates not only the political capacity for common action, but destroys also all apolitical bonds between people and therewith the capacity for experience and thought.

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<sup>86</sup>Ibid., p. 170.

<sup>87</sup> Ibid., p. 171.

In that sense it differs from isolation, which is produced in a tyranny and is merely political. It only destroys the political community, the political capacity to act, but leaves all 'private' relationships between people intact. Thus people do not lose their ability to experience and think.

In light of this differentiation between loneliness and isolation the question arises in what way the capacities for experience and thought are related to the capacity for action? Aren't we still closer to the possibility of becoming politically active in a situation in which we are still able to think and experience than in a situation in which our mind is fully determined by state ideology and all relation to reality is lost? In OT there are some passages that seem to hint that there might be such a connection between thought and action. Of course, this is a very early text and not a theoretical one. But nevertheless, I argue, that we can find here already the germs (although in a very undeveloped way) of Arendt's "early" theory of judgment.

Arendt writes: "By this submission [of thought to logic], he [man] surrenders his inner freedom ... Freedom as an inner capacity of man is identical with the capacity to begin, just as freedom as a political reality is identical with a space of movement between men."<sup>88</sup>

In light of Arendt's oeuvre this passage is puzzling. She differentiates here between inner freedom and freedom as a political reality. In *The Human Condition*, on the other hand, Arendt describes the flight into the self as world-alienation and writes that "it is in fact far easier to act under conditions of

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<sup>88</sup>OT, p. 473.



tyranny than it is to think”<sup>89</sup> And in “What is Freedom,” she criticizes the concept of inner freedom as “politically irrelevant.”<sup>90</sup> All the more surprising is the fact that, in the above quote, Arendt links inner freedom with the capacity to begin, which is of great political relevance. Although this passage is, in light of the above objections, somewhat problematic, at the very least it should make us stop and think. I believe that it is a very productive tension here, that can shed light on the relation between thinking and acting and that already contains the germs of a theory of judgment from the perspective of the actor.

If we relate the above quote to the distinction between loneliness and isolation it appears that in a tyranny the space for action between people (and thus freedom as a political reality) is eliminated, but the capacity of thought (and thus the “freedom as an inner capacity of man [that] is identical with the capacity to begin”<sup>91</sup>) is left in tact. The latter is only eliminated in the situation of loneliness in totalitarianism. This raises the question whether and to what extent the elimination of the capacity to act is based on the extinction of thought?

For Arendt acting consists of two distinct parts: she derives them from the Ancient Greek, which (just like Latin) possesses two verbs to designate to act: ἀρχεῖν (arkhein) and πράττειν (prattein). Arendt translates and explains them as follows. Ἀρχεῖν means “to begin, to lead, finally, to rule”, while πράττειν

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<sup>89</sup>HC, p. 324.

<sup>90</sup>BPF, p. 245.

<sup>91</sup>OT, p. 473.

refers to “to pass through, to achieve, to finish.”<sup>92</sup> She concludes that acting consists of two parts, “the beginning made by a singly person and the achievement in which many join by ‘bearing’ and ‘finishing’ the enterprise, by seeing it through.”<sup>93</sup>

My hypothesis is that ἀρχεῖν is related to the capacity for thought as the inner freedom identical with the capacity to begin. I do not thereby mean that ἀρχεῖν is thinking and nothing more. This would be a claim very difficult to defend in light of Arendt’s oeuvre. Rather, I argue that ἀρχεῖν is based on (some kind of) thinking – otherwise actors would be no more than mindless zombies. Inner freedom, as Arendt says in the above quote, is identical with the *capacity* to begin, she does not say it is identical with the actual *act* of beginning. Ἀρχεῖν, beginning something new, is an action in the world with the potential that others may join in and carry it through. But as such it needs to be based on some kind of thinking process that allows one to reach a decision to act, and how to act. In the third chapter we will see how judging can be understood as the type of deliberation that precedes action and helps to find and define the *principle* upon which we act. In that sense ἀρχεῖν is based on inner freedom, because the capacity of thought and judgment needs to be in tact in order to critically think about and judge the political reality as a basis for deciding that it is time to act and for deciding how (according to which principle) to act.

In a tyranny only the second part of action, πράττειν, is eliminated while the “inner freedom” needed to begin something new is still left in tact: I can still

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<sup>92</sup>HC, p. 189.

<sup>93</sup> Ibid.

think, and when I decide to act, I can still start to act, start something new, because for starting I do not depend on anybody else. But since *πραττειν* is eliminated, no-one will be able to join in and hence my beginning will remain meaningless. In totalitarianism, however, the capacity for both, *ἄρχειν* and *πραττειν*, is destroyed. It thus seems as if the possibility for action is eliminated much more effectively and securely.

In a situation of isolation it could, accordingly, still happen that an individual starts something new (*ἄρχειν*), it would only lack any political significance, because no one is joining in. When Arendt compares tyranny and totalitarianism, she argues that both are destroying the boundaries of law. But law creates a space between man for action and freedom. When these boundaries (that restrict, but in the same time also create a space) are taken away, tyranny “destroys freedom as a living political reality” (i.e. not the inner freedom of thought!). Totalitarianism goes a step further: it

destroys at the same time also the lawless, fenceless wilderness of fear and suspicion which tyranny leaves behind. This desert, to be sure, is no longer a living space of freedom, but it still provides some room for the fear-guided movements and suspicion-ridden actions of its inhabitants.<sup>94</sup>

Thus, in a tyranny, there is indeed still a possibility (though very limited) for action: fear serves as a principle of action<sup>95</sup> and there is still a “desert” in which action can appear. Thus, the possibility for *ἄρχειν* is not *fully* eliminated. But politically speaking this does not matter, because even if an action occurs, it appears in a desert: there is no-one who could join in and carry the action

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<sup>94</sup>*OT*, p. 466.

<sup>95</sup> *Ibid.*, p. 467.

through. It is politically insignificant. The one who acts alone, deserted from everyone, is the mad man.<sup>96</sup>

What we can understand about thought from a careful reading of *Origins of Totalitarianism* is that it is closely linked to action, especially to ἀρχεῖν, to beginning something new. Furthermore, we encountered the idea of thought as a two-in-one, which despite happening in solitude never loses contact with the world and the community of other people. Both thinking and experience are based on the fact of living together with others, of being part of a community. If this reality is lost, they can no longer function, and logicity comes in as a substitute.

### Conclusion

The descriptions of thought in *The Human Condition* (hereafter HC) and in *Origins of Totalitarianism* (hereafter OT) largely coincide with the concept of understanding in the essay *Understanding and Politics* (hereafter UP), which we discussed in relation to cognition above. Understanding is giving a meaning to past events like the activity inspired by thought in the HC. It is closely related to action (like thinking in OT): it is “the other side of action” and a capacity of

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<sup>96</sup> Kant argues that lacking common sense is the characteristic of madness: cf. *LKPP*, p. 64. Cf. also Friedrich Nietzsche, *The Gay Science*, transl. W. Kaufmann (New York: Random House, 1974), aphorism 125, pp. 181f.: The man who talks about the death of God is mad because he comes too early, i.e. not because the content of what he says is crazy, but because he is alone, because there is no context of other people amongst which his words could attain meaning and his actions could be carried through. Hence, of course, inner freedom is less relevant for Arendt than political freedom, i.e. the freedom that occurs in-between people acting together. This also becomes visible in her text “What is freedom” in *BPF*.

“acting men” (i.e. not of those engaged in contemplating).<sup>97</sup> Here it differs slightly from the HC, where thinking is described as inspiring the activities of homo faber, and not those of the actor. Yet in its backward directionality understanding is closer to the HC again than to OT. Understanding is useless, and never producing any clear results (here again parallel to the HC), but it makes us feel at home in the world (again the same as in HC). It is “the specifically human way of being alive” (UP)<sup>98</sup> and “its beginning and end coincide with the beginning and end of human life itself” (HC).<sup>99</sup> Both, in OT and UP, thinking/understanding is related to novelty and embracing novelty and to the capacity to begin,<sup>100</sup> but in very different ways: Understanding in UP is the faculty that can embrace new events and occurrences after they happened, i.e. when we need to come to terms with the past but lack standards according to which to judge because what happened was totally new and unprecedented. Thinking, in the sense that we distilled it from OT is related to novelty in a forward-directed way as the deliberation prior to action, prior to starting something new.

It seems that the main point of divergence is actually between the HC and OT, while understanding mediates between those two. In the HC it is clear that thought is merely directed backwards in its quest for understanding the meaning of events that already passed. Here we see the germs of the “late”

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<sup>97</sup>UP, p. 321.

<sup>98</sup>Ibid. p. 308.

<sup>99</sup>HC, p. 171.

<sup>100</sup>UP, p. 321, and endnote 8 (p. 325), OT, p. 473.

theory of judgment. In regards to OT, on the other hand, we developed an interpretation of thought that is closely interrelated with acting and especially with beginning a new action. It is thus oriented towards the future and close to the “early” theory of judgment. In UP, understanding mainly coincides with the HC on that point, because the essay itself is a quest for the meaning of a past event: totalitarianism. Thus, for the biggest part of the essay, understanding is described as the backward oriented search for meaning. However, it is an activity of the actor himself, not of a completely detached spectator like in the HC. In that sense it is closer to OT. But occasionally understanding displays a forward directedness as well. This is the case when preliminary understanding directs the aims of scientific inquiry. But much more relevantly, regarding action: preliminary understanding “always consciously or unconsciously is directly engaged in action”<sup>101</sup> and is closely connected to the capacity to begin.

Thus we can see that in the early writings judgment as such is not discussed at all, but in the concepts of thinking and understanding we already find the germs of what later is to become the faculty of judgment. Moreover, we already find elements close to the “late” as well as to the “early” theory and such that fit to neither of the “two” theories of judgment – hinting at a more complex theoretical framework. On the basis of the three texts discussed so far, we could argue for three distinct theories, but despite the differences, I believe that the overlaps and similarities are significant and it seems clear that Arendt had in mind the same human capacity when she was writing those.

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<sup>101</sup>UP, p. 322.

Secondly, in the opposition of thinking to logical reasoning, we already start to understand why it is so important for Arendt to emphasise time and again that judgment is different from rational-logical deliberation, not yielding truth that compels but mere opinion that allows for plurality, that it is based on inter-subjectivity and not objectivity. In the remaining chapter we will clarify this specific type of rationality involved in judgment.

Thirdly, the relation between cognition and understanding already allows us to anticipate that cognition and facts do play a role for judgment, but that judgment differs from and transcends cognition. We will return to this issue in the discussion of BPF below.

Fourthly, we will continue to explore the concept development, and I will demonstrate the plausibility of my argument that the concept of thinking changed, being much broader in the early than in the late writings and originally including those capacities that were later ascribed to judgment.

Fifthly, I will continue to show that there are many differently nuanced theories of judgment, with significant differences but also with significant overlaps and similarities. This will strengthen my suggestion that the argument about the existence of two clearly demarcated and distinct theories of judgment appears questionable and rather random.

Sixthly, I will continue to show that there are elements of the “late” theory already inherent in the early texts (so far we have seen that this is the case in HC and UP, now we will look at BPF) and that, more generally, these “two” theories are so intertwined and interrelated that the claim of the existence of the “two” theories appears even more questionable, because it is

impossible to assign the texts clearly to one or the other “theory” because both are present within one and the same text.



## Activities of the Mind in *Between Past and Future*

So far we have analysed the concepts of thought and understanding in Arendt's early writings, which are preoccupied with acting and with the phenomenon of totalitarianism. Now we turn to the collection of essays *Between Past and Future*, which is generally considered to be the most important source for her "early" theory of judgment. However, as we shall see, these texts are a bit ambiguous to categorize, both chronologically (some of the essays were written after *Eichmann in Jerusalem*, which is considered to be the turning point in Arendt's thinking) as well as content-wise. There are differences to the usage of concepts discussed so far, but also differences to the usage we find later in the *Life of the Mind*. The concept of judgment finally appears here, but it oscillates between the perspective of the actor and that of the spectator (i.e. between "early" and "late" theory), and the concept of thinking is not yet clearly defined and differentiated from judging. The concept of understanding returns and is clearly parallel to that of judging.

### Thinking

In the Preface to *Between Past and Future*, Arendt describes the location of thinking through an interpretation of a parable by Kafka, which describes a person ("he") who is fighting with two antagonists at the same time, one pressing him from behind, the other one from ahead. These antagonists are the past and the future. And "he" is dreaming that one day he might be able to jump

out of the fighting line and be promoted to the position of umpire. Arendt interprets this as describing the experience of thinking. However, she criticises that Western metaphysics, just as “he”, has always dreamt of this region *over and above* the fighting line as the proper place for thought: “Obviously what is missing in Kafka’s description of a thought-event is a spatial dimension where thinking could exert itself without being forced to jump out of human time altogether.”<sup>102</sup>

She suggests, that when man inserts himself into time, he breaks it up into the antagonistic forces of past and future. If it was not for his presence, time would be a continuum flowing smoothly from past to future. But if he inserts himself, and breaks up time, battling both forces at once, he thereby “cannot but cause the forces to deflect, however lightly, from their original direction.”<sup>103</sup> Thereby a parallelogram of forces is created, resulting in a third (diagonal) force originating from the point where the two forces of past and future collide and on which they act. While the two antagonistic forces are unlimited as to their origin, they have a terminal end in the point in which they clash. The resulting diagonal force, on the other hand, has a definite beginning (the clashing point of past and future), but is unlimited as to its ending. This diagonal force, “whose origin is known, whose direction is determined by past and future, but whose eventual end lies in infinity, is the perfect metaphor for the activity of

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<sup>102</sup>BPF, p. 11.

<sup>103</sup> Ibid.

thought.”<sup>104</sup> It is a space sufficiently removed from past and future to be able to think and judge.

For a very long time in history this gap between past and future was bridged over by tradition, but the thread of tradition broke, and now thinking and the experience of this gap “became a tangible reality and perplexity for all; that is, it became a fact of political relevance.”<sup>105</sup> Arendt describes the essays published in this volume as such exercises in thinking. However, in light of her later distinction between thinking and judging, these essays seem to be rather exercises in judgment.<sup>106</sup> Arendt writes that

Kafka’s fight begins when the course of action has run its course and when the story which was its outcome waits to be completed ‘in the minds that inherit and question it.’ The task of the mind is to understand what happened, and this ... is man’s way of reconciling himself with reality.<sup>107</sup>

What Arendt means with being “completed in the minds that inherit and question it” is clarified a few paragraphs earlier, where she is talking about the French *résistance*:

The tragedy began not when the liberation of the country as a whole ruined, almost automatically, the small hidden islands of freedom that were doomed anyhow, *but when it turned out that there was no mind to inherit and to question, to think about and to remember.* The point of the matter is that *the ‘completion,’ which indeed every enacted event must have in the minds of those who then are to*

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<sup>104</sup> Ibid. p. 12.

<sup>105</sup> Ibid. p. 13.

<sup>106</sup> The subtitle reads „Eight Exercises in Political Thought,” and political thought generally refers to judgment and not to thinking in Arendt’s texts. Cf. the last paragraph of the seminar on imagination (LKPP, p. 84f.), where political science – described as originating from particular historical or political events which are being theorized as exemplary for a more general phenomenon – is explicitly linked to judgment. Cf. also e.g. Taylor, p. 164 and Bernstein, „Judging – the Actor and the Spectator“, p. 236, where *BPF*, or Arendt’s work more generally, is described as examples of judgment.

<sup>107</sup> *BPF* p. 7.

*tell the story and convey its meaning*, eluded them; and without this ... there simply was no story left that could be told.<sup>108</sup>

These lines are very close to Arendt's later description of judgment (in the *Life of the Mind* and the Kant Lectures): to understand what happened, as a way of reconciling oneself with the past and the world,<sup>109</sup> to remember, to tell the story, to complete the action (which cannot endure without people judging it and telling the story),<sup>110</sup> to find or give the meaning to an event,<sup>111</sup> and finally, dealing with a *particular* event (e.g. the *résistance*).<sup>112</sup>

In her later work, thinking is described by Arendt as metaphysical thought, concerned with the unknowable, transcending reality which cannot help answering the questions thought is concerned with.<sup>113</sup> These characteristics are hardly an adequate description of the essays collected in *Between Past and Future*. These arise "out of the actuality of political incidents" and are based on the assumption that "thought itself arises out of incidents of living experience and must remain bound to them as the only guideposts by which to take its bearings"<sup>114</sup>

I am not arguing that Arendt completely changed her terminology and that what is described as thinking in BPF becomes judgment in the LM. Such an

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<sup>108</sup> Ibid., p. 6, emphasis added.

<sup>109</sup> BPF, pp. 257f, LM, I, p. 216, cf. also Beiner, "Judging in a World of Appearances," p.382.

<sup>110</sup> LM, I, p. 216, cf. also Benhabib, "Judgment and the Moral Foundations of Politics", p. 184, and Bilsky, "When Actor and Spectator Meet in the Courtroom" p. 272, LKPP, p. 56.

<sup>111</sup> LM, I, p. 96, BPF, p. 221.

<sup>112</sup> LM, I, pp. 92, 192, 213, LKPP, p. 66.

<sup>113</sup> LM, pp. 51f, 71f, 75, 88, 197f.

<sup>114</sup> BPF p. 14.

argument would not hold, since Arendt repeated her interpretation of Kafka's parable in the LM in the context of thinking. So clearly she did not change her mind or shift her definitions completely. All I am saying is that the differences between the two capacities of thinking and judging become blurred at times, and especially in the volume BPF.

### Understanding

In "The Concept of History", Arendt describes the activity of understanding in a way clearly parallel to her conception of judgment, but based on Greek sources, not on Kant:

The Greeks discovered that the world we have in common is usually regarded from an infinite number of different standpoints, to which correspond the most diverse points of view. In a sheer inexhaustible flow of arguments ... the Greek learned to exchange his own viewpoint, his own 'opinion' – the way the world appeared and opened up to him *δοκεῖ μοι*, 'it appears to me,' from which comes *δόξα*, or 'opinion') – with those of his fellow citizens. Greeks learned to *understand* – not to understand one another as individual persons, but to look upon the same world from one another's standpoint, to see the same in very different and frequently opposing aspects.<sup>115</sup>

We see here already the idea of an enlarged mentality (a concept which Arendt will take from Kant) as taking into account and incorporating the viewpoints of others. Also, there is the relation to opinion and *δοκεῖ μοι*, with regard to the common world, rather than truth. This paragraph is often cited as an example of judgment.<sup>116</sup>

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<sup>115</sup>BPF, p. 51.

<sup>116</sup> Cf. e.g. Kimberley Curtis, "Aesthetic Foundations of Democratic Politics," in *Hannah Arendt and the Meaning of Politics*, ed. C. Calhoun & J. McGowan, p. 43, and Zerilli, "We Feel Our Freedom," p. 165.

## Judging

Beiner<sup>117</sup> argues that Arendt changed her understanding of judgment completely. He quotes the following passage from “What is Freedom”:

The aim of action varies and depends upon the changing circumstances of the world; to recognize the aim is not a matter of freedom, but of right or wrong judgment. Will, seen as a distinct and separate human faculty, follows judgment, i.e. cognition of the right aim, and then commands its execution. The power to command, to dictate action, is not a matter of freedom but a question of strength or weakness.<sup>118</sup>

Beiner argues that this quote shows that Arendt had an instrumentalist understanding of judgment, as a faculty that was oriented to the future and closely linked to action (defining the aim of action) and equated with cognition. This definition of judgment is diametrically opposed to the later definition, in which judgment (which concerns opinion) is clearly distinguished from cognition (which aims at knowledge and truth), is backward oriented (judging past events) and part of the *vita contemplativa*, not of the *vita activa*.

However, this interpretation takes both definitions of judgment out of context. In “What is Freedom”, Arendt continues immediately with a qualification of the afore said: “Action insofar as it is free is neither under the guidance of the intellect nor under the dictate of the will – although it needs

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<sup>117</sup> Beiner, „Judging in a World of Appearances,” pp. 375f.

<sup>118</sup> BPF, p. 150.

both for the execution of any particular goal – but springs from something altogether different which ... I shall call principle.”<sup>119</sup>

Now we see, that only what is described in the second quote corresponds to Arendt’s understanding of action. For her, action is political by definition, and it differs from both labour and work both of which are apolitical. Labour is bound up with necessity and produces what is needed for the life circle (immediate needs such as food). Work is fabrication of objects of the world (including use objects as well as art) and is characterised by an instrumental thinking: in order to fabricate this end product, I need these means, and an idea, a clear aim, of what the end product is supposed to be. Action, on the other hand, is free from this instrumental thinking, for it is characterised by the unexpected and unforeseeable. Action is free: it starts something new, which no-one could have expected, and others will continue, carry the action through, or react making the final outcome utterly unpredictable. Action, in the sense in which Arendt uses the term, is not prescribed by an instrumental means-ends thinking, but inspired by principles (i.e. justice, freedom, honour, love of equality, etc). Free action is free from motive and private interests as well as from an intended goal as a predictable effect.<sup>120</sup>

What Arendt describes in the first quote above is determined action (as opposed to free action)<sup>121</sup> and in fact she discusses the process of will-formation

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<sup>119</sup> Ibid.

<sup>120</sup> Ibid. For a detailed analysis of the problems of instrumental action and Arendt’s rejection thereof, see Villa, “Thinking and Judging,” pp. 91ff, esp. 94-95.

<sup>121</sup> Ibid.: “*Action in so far as it is determined* is guided by a future aim whose desirability the intellect has grasped before the will wills it” and “*action insofar as it is free* is

prior to action as described by Duns Scotus.<sup>122</sup> Thus, this paragraph actually does not correspond to her own, 'pure' definition of action. It is relevant in the context of her own theory in so far as she observes in the modern world an instrumentalisation of action, in which action is conflated with work. But that is a deformation of action. And action "insofar as it is free", i.e. insofar as it is real action and not a modern hybrid form between action and work, "is neither under the guidance of the intellect nor under the dictate of the will", i.e. is not corresponding to the process described by Duns Scotus and paraphrased in the first quote above.

Of course we are concerned here with the understanding of judgment revealed in the first quote. But once we understand that the concept of action in that context was not the pure concept of action as Arendt defines it, but a modern hybrid in which action is conflated with work, we are able to look differently at the description of judgement and will as well. The equation of judgment with cognition and intellect and an instrumental way of thinking, does not necessarily contradict Arendt's later definition of judgment. For even in the *Life of the Mind*, Arendt still describes judgment in the broad sense in which it is also used by Kant, encompassing both cognition as well as judgment in the narrower sense of aesthetic/political judgment: judgement is the capacity to subsume the particular under the general. If the general is given, it is a determining judgment and the operation is indispensable for cognition. If the general is not given, the judgment is reflective, and it is only reflective judgment,

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neither under the guidance of the intellect nor under the dictate of the will" (emphasis added).

<sup>122</sup>Ibid.



that Arendt's whole theory of political judgment (as well as Kant's *Critique of the Power of Judgment*) deals with.<sup>123</sup> The equation of judgment with cognition and intellect in the above quote from BPF, and the description of the activity of judgment as cognition of the right aim in an instrumental way of thinking, is therefore not in contradiction with Arendt's later theory of judgment. Rather in the above quote, what is described is determining judgment, whereas her later theory focuses on reflective judgment (but without denying the existence of determining judgment).<sup>124</sup>

Furthermore, in the LM, Arendt writes

If we wish to placate our common sense, so decisively offended by the need of reason to pursue its purposeless quest for meaning, it is tempting to justify this need solely on the grounds that thinking is an indispensable preparation for *deciding what shall be* and for evaluating what is no more. Since the past, being past, becomes subject to judgment, *judgment in turn, would be a mere preparation for willing*.<sup>125</sup>

This is exactly the process described in the first quote from BPF: judgment defines the right aim of action, and the will commands its execution. However, Arendt continues:

But this last attempt to defend the thinking activity against the reproach of being impractical and useless *does not work*. The decision the will arrives at can never be derived from the mechanics of desire or the deliberations of the intellect that may precede it. The will is either an organ of free spontaneity that *interrupts all causal chains of motivation* that would bind it or it is nothing but an illusion.<sup>126</sup>

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<sup>123</sup> Cf. LM, I, p. 69.

<sup>124</sup>I will discuss the difference between determining and reflective judgment in more detail in the final part of this chapter when analysing Arendt's late writings. Marshall (p. 373, 380) shows that for Arendt there is a reflective judgment at the basis of every determining judgment – here she differs from Kant. But that does not challenge what was said above.

<sup>125</sup>LM, I, p. 213, emphasis added.

<sup>126</sup>Ibid., emphasis added.

This sounds very much like the fact that action, to be free, must be free from motive (BPF, p. 150). And it makes it clear that we need to understand the paragraph from BPF on determined action critically. This is not, what action and the decision making process prior to it (ought to) look like according to Arendt. This is the process as described by Duns Scotus and criticised by Arendt. In Duns Scotus' description neither action, nor judgment, nor the will are free. In the modern day hybrid form of (instrumentalized) action, as described by Arendt, this is the case too. But action, in the sense that it makes sense to have a designated word for the concept, is free by definition. So is the will. Otherwise it is just an illusion and it does not even make sense to have a concept for it and talk about it. And judgment, in the context of free action and free will, is reflective, not determining.

The essay in which Arendt says most about judging is "The Crisis in Culture", and it is to this that we now must turn. Starting from a quote reported by Thucydides and attributed to Pericles, which suggests that the realm of politics sets limits to both the love of beauty and to philosophy, and that love of beauty remains barbaric unless accompanied by the faculty of judgement and discernment, Arendt asks whether it could be that taste and judgment belong among the political faculties.<sup>127</sup> She explains the relatedness between beauty and politics: Both art works and "political products" (i.e. words and deeds) are in need of a public space in which they can appear and be seen.<sup>128</sup>

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<sup>127</sup>BPF, p. 211.

<sup>128</sup>Ibid., p. 214.

Arendt turns to Kant in order to discuss this question. Like in her later Kant Lectures, she argues that Kant's *Critique of Judgment* is a work of political philosophy, and that judging implies a political, not merely theoretical, activity. While the second Critique, which is commonly considered to be his political work, is based on the lawgiving faculty of reason, and the principle of non-contradiction, the *Critique of Judgment* goes a step further. Involved is a different way of thinking, which is based not merely on the principle of non-contradiction, but on an enlarged mentality. Arendt describes it here as a "potential agreement with others" and an "anticipated communication with others with whom I must finally come to some agreement."<sup>129</sup> Thus, it needs the presence of others, on which the judgment's specific validity depends. However, it is never generally valid, and never can be.

Arendt then turns to the concept of φρόνησις (phronesis) with the argument that the notion of judgment as a political capacity is as old as articulated political experience. She argues that φρόνησις was characterized by being rooted in common sense, which speculative thought constantly transcends, and which "discloses to us the nature of the world insofar as it is a common world."<sup>130</sup> The new thing about Kant's theory was that he was discussing for the first time the phenomenon of taste and the type of judgments that were generally considered to lie outside the domain of reason and the realm of politics. He emphasised the public quality of beauty and of aesthetic judgments and thereby showed that taste is the opposite of private feelings.

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<sup>129</sup>Ibid., p. 217.

<sup>130</sup> Ibid. p. 218.

Nevertheless, judgments of taste are “always determined by a certain subjectivity, by the simple fact that each person occupies a place of his own from which he looks upon and judges the world.”<sup>131</sup> Here we see the similarity with understanding in “The Concept of History”.

Judgment also derives from the fact that the world itself, which is being judged, is an objective datum, shared by all. And in judgments of taste the world is the primary concern, not the person. Hence, judgement is disinterested, it judges the world in its appearance and worldliness and decides how it is to look and sound and what manner of action is to be taken in it.<sup>132</sup> Furthermore, taste also decides who belongs together in the world, i.e. whom we choose as our company. Through judgement (just like through action) a person also always discloses part of who he/she is and in that sense too the activity belongs to the political realm.<sup>133</sup> Finally, because of their subjective element, judgments do not compel like facts or rational truths, but are like political opinions persuasive in character (again similar to understanding in “The Concept of History”).<sup>134</sup> Because of this, too, taste introduces a personal factor that can give humanistic meaning.<sup>135</sup>

There are several things we need to remark: Firstly, Arendt here oscillates between the two sources of Aristotle and Kant, which seem not to be

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<sup>131</sup>Ibid., p. 219.

<sup>132</sup>Ibid., p. 219f.

<sup>133</sup>Ibid., p. 220.

<sup>134</sup>Ibid., p. 119.

<sup>135</sup>Ibid., p. 221.

in contradiction. Rather, she takes elements that seem important to her from both sources. Secondly, in this text, there are elements of judging as a capacity of the actor as well as elements of judgment as a backward oriented faculty of the spectator. She is concerned both with how “the fleeting greatness of word and deed can endure in the world”<sup>136</sup> (only by the preserving judgment of spectators) and also with “the decision what manner of action is to be taken” (i.e. with judgment as a forward oriented capacity of the actor). And these two elements do not seem to stand in contradiction for her. Thirdly, Arendt clearly locates judgment between reason and private feelings, between subjectivity and objectivity. Judgment yields opinions and not truth. Fourthly, in judgment the world stands central, not the individual. We can see here Arendt’s *amor mundi*, judgment is relevant not least because it takes care of and sustains the common world as a space for appearance and interaction.<sup>137</sup>

In “Truth and Politics” Arendt again describes judgment as political thought. The basic characteristics are the same. Most of all, the judging individual needs an enlarged mentality that takes into account different

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<sup>136</sup>Ibid., p. 215.

<sup>137</sup> For a discussion of the importance of worldiness, judgment as a capacity to make us feel at home in the world, and the danger’s of world-alienation in modernity, see Villa, “Modernity, Alienation, and Critique,” in *Judgment, Imagination, and Politics*, ed. Beiner & Nedelsky (pp. 287-310) and cf. A. L. Shuster, “The Existential Dimension of Arendt’s Conception of Political Judgment,” *Paper presented at the annual meeting of the Midwest Political Science Association 67th Annual National Conference, The Palmer House Hilton, Chicago, IL, Apr 02, 2009*. Available [online]: <[http://citation.allacademic.com/meta/p361545\\_index.html](http://citation.allacademic.com/meta/p361545_index.html)> [2.1. 2014].

viewpoints. While in “The Crisis in Culture”, Arendt emphasised the need of the presence of others,<sup>138</sup> she now clarifies that

this process of representation does not blindly adopt the actual views of those who stand somewhere else, ... this is a question neither of empathy, as though I tried to be or feel like somebody else, nor of counting noses and joining a majority but of being and thinking in my own identity where actually I am not.<sup>139</sup>

The outcome is an opinion, not a truth. The more different standpoints are taken into consideration, the more valid is the opinion. Judgment is characterized by disinterestedness. The judging person remains “in this world of universal interdependence”<sup>140</sup>, as opposed to the thinking person who is together only with himself. The activity of judging requires taking the “standpoint outside” for as long as the activity lasts, “no political commitment, no adherence to a cause is possible.”<sup>141</sup> In this regard, judging is similar to thinking, to the activities of the philosopher, scientist, artist, and the fact-finder.

We can also see here a similar description of the relation between opinion (i.e. the outcome of judgments) and facts, as we have seen between understanding and facts in “Understanding and Politics”:

Facts and opinions, though they must be kept apart, are not antagonistic to each other; they belong to the same realm. Facts inform opinions, and opinions, inspired by different interests and passions, can differ widely and still be legitimate as long as they respect factual truth. ... In other words, factual truth informs political thought.<sup>142</sup>

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<sup>138</sup>*BPF*, p. 217.

<sup>139</sup>*Ibid.*, p. 237.

<sup>140</sup> *Ibid.*

<sup>141</sup>*Ibid.*, p. 255, cf. p. 258.

<sup>142</sup>*Ibid.*, p. 234.

This quote immediately refutes the criticism that judgment (because it is not fully rational, not concerned with truth) does exclude facts, knowledge and cognition from the political realm.<sup>143</sup> This is not the case. Facts do play a role: they inform our political thought. Proper judgment needs to be based on facts in order to be legitimate. The issue is not that facts, rationality, cognition are expelled from political deliberation, but merely that judgment transcends them and that facts become politically relevant only to the extent that they inform some opinion (i.e. transcend the objectivity of mere factuality) or in times when everyone lies about everything, because telling the truth in such a situation reinstates the condition of possibility for judging and autonomous opinion formation. Generally, judgment is always related to meaning and giving meaning to empirical facts:

Reality is different from, and more than, the totality of facts and events ... Who says what is ... always tells a story, and in this story the particular facts lose their contingency and acquire some humanly comprehensible meaning. ... The political function of the storyteller – historian or novelist – is to teach acceptance of things as they are. Out of this acceptance, which can also be called truthfulness, arises the faculty of judgment.<sup>144</sup>

In this essay, judgment is described exclusively as the backward looking capacity from the perspective outside. It helps us reconcile ourselves with reality. It is, despite the outside perspective, still firmly rooted in this world since it is characterized by an enlarged mentality. It is based on facts, but transcends them. It differs from truth in that it is discursive and persuasive, rather than self-evident and coercive.

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<sup>143</sup> Cf. e.g. Steinberger, pp. 817f.

<sup>144</sup> Ibid., p. 257f.

## Conclusion

In conclusion we can remark that the distinction between thinking and judging is not yet clearly developed in BPF and becomes blurred at times. Due to significant similarities and overlaps, understanding can be considered as referring to the faculty of judgment. Judgment, finally, is described partly as the backward oriented faculty of the spectator, partly as the forward-looking capacity of the actor. Sources are both ancient Greek thought (including, but not limited to, the concept of φρόνησις) and Kant's *Critique of the Power of Judgment*.

It is unclear, therefore, how Bernstein, Beiner, and others can distil from these texts a clear, stringent, unambiguous “early” theory of judgment defined as forward-looking practical reasoning of the actor, based on φρόνησις as opposed to the “late” theory of backward-oriented judgment of the spectator based on Kant in LKPP. This distinction and distillation of two fully distinct and opposite theories appears more than questionable in light of the fact that there are clearly *both* theories inherent in the texts on which the “early” theory is supposedly based. The “early” theory is not even the main focus in these texts while the “late” one remains a marginal affair. On the contrary, there is already here more focus on the “late” than on the “early” theory. But in light of the fact that both theories are so much interwoven and Arendt is oscillating back and forth between them even in one and the same text, insisting on the distinction does not make much sense. Rather, it would be better to attempt to understand it as one coherent theory, as it must have been in Arendt's mind, when she was writing the “Crisis in Culture”. Why try to disentangle what forms an organic



whole in these texts? Beiner himself admits that in her late work, Arendt describes the concept of judgment as encompassing not only a political capacity but rather as a general faculty of judgment,

for, as she now conceives the matter, there is only *one* faculty of judgment, unitary and indivisible, which is present in various circumstances – in the verdict of an aesthetic critic, the verdict of a historical observer, the tragic verdict of a storyteller or poet – and the variety of circumstance does not relevantly affect the character of the faculty thus instantiated.<sup>145</sup>

Why then is it a contradiction to say that judgment can be found in the situation where a spectator judges the past but also in the situation where an actor judges the present with the intention to act into the future?

Concerning the relation to the early work discussed before, we can remark that there is a clear parallel to UP, including the oscillation between the perspectives of actor and spectator and that these essays encompass elements of both descriptions of thinking above: the actor's prospective deliberation of what course of action is to be taken and the retrospective meaning-giving and world-sustaining activity of the spectator.

Furthermore, we saw again the emphasis on distinguishing judgment and opinion from truth and rationality, highlighting the fact that judgment is discursive and persuasive and not self-evident and coercive. Moreover, we explored the proper place of facts and cognition in relation to judgment, refuting the criticism that the relevance of facts and the possibility of political knowledge is disregarded by Arendt.

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<sup>145</sup> Beiner, "Hannah Arendt on Judging" in *LKPP*, p. 138, emphasis in the original.

## Activities of the Mind in Arendt's Late Work

So far we have analysed the concepts of thought, understanding, and judgment in Arendt's early work and BPF. In order to get a better understanding of these activities, it is now time to turn to Arendt's later work, which deals expressly with the activities of the mind. We will see that there are significant differences in her conception of thinking between early and late writings, and that in the late writings her concept of judgment focuses more exclusively on the perspective of the spectator.

### Thinking and Judging In *The Life of the Mind*

*The Life of the Mind*, was envisaged as a trilogy encompassing *Thinking*, *Willing*, and *Judging*. However, Arendt died before she could complete the last volume. For her analysis of judgement, we have to rely on a lecture course she gave at the New School of Social Research entitled *Lecture's on Kant's Political Philosophy*.<sup>146</sup> For the time being, I will discuss only thinking and judging. Here I want to show that the concept of thinking and understanding in her early writings corresponds more closely to judging than to thinking in the *Life of the*

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<sup>146</sup> While Beiner (e.g. in "Judging in a World of Appearances") argues that these lectures are a reliable source for knowing what Arendt would have written in the third volume of *The Life of the Mind*, Taylor ("Hannah Arendt on Judgment") disagrees. I will not delve into this discussion, rather I will simply treat the lectures as what they are: a text in which Arendt wrote extensively about judgment, and which therefore is an important source for tracing the concept development through her work. And at least that much can be said with certainty: the passages in *The Life of the Mind* on judging and the description of judging in the Kant Lectures are compatible and do not contradict each other.

*Mind*, i.e. that there is a difference between the concept of thinking as it is used in the early works and the late works respectively.

Thinking, in the *Life of the Mind*, refers to metaphysical speculations. It is also a quest for meaning, but its characteristic is that it transcends reality, for reality cannot help us answer the question of meaning. Thinking is always generalizing, it is characterised by a retreat from the world<sup>147</sup> and its subject matter is always the unknown or the unknowable.<sup>148</sup> It has a “self-destructive tendency with regard to its own results.”<sup>149</sup> We find here also the description of thinking as the two-in-one, the dialogue between me and myself in the withdrawal from the world and people.<sup>150</sup>

Willing and judging differ from thinking in that “their objects are *particulars* with an established *home in the appearing world*, from which the willing or judging mind removes itself only temporarily and with the intention of a later return.”<sup>151</sup> In that sense they are much more political, because they are focused on the world and on particulars, rather than being located in the generalizing worldlessness of thought.

To be sure, these activities too depend on a withdrawal from the world in order to establish the right distance (not too close and not too far) that is needed for reflection. But in the case of judging and willing this withdrawal is

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<sup>147</sup>*LM*, p. 75.

<sup>148</sup>*Ibid.*, p. 71.

<sup>149</sup>*Ibid.*, p. 88.

<sup>150</sup>*Ibid.*, p. 185.

<sup>151</sup>*Ibid.*, p. 92, emphasis added, cf. p. 213.

only temporary, and remains focused on the particular and on the world all along. The faculty that establishes the right distance in this act of withdrawal is imagination, and all three activities of the mind depend on it. Imagination is the faculty of re-presentation: it makes present to the mind what is not given to the senses (what is invisible in the case of thinking, what is not yet in the case of willing, and what is no more in the case of judging), i.e. it de-senses its objects. Thus both temporal as well as spatial distance are annihilated.<sup>152</sup>

Judgement is the faculty that brings together the general and the particular. If the general is given and the specific needs merely be subsumed under the general, there is no difficulty. Kant calls this a *bestimmendes Urteil* (determining judgement). If, however, the general is not given and first needs to be found, it is a *reflektierendes Urteil* (reflective judgement). Arendt is interested in the latter: for her the interest in judgement arises out of the lack of any standards by means of which we could understand and judge totalitarianism. The difficulty is that we have to judge without any general rule that we can rely on. We need to find the rule ourselves as we go, extract the general from the specific.

In Kant, reflective judgement is based on *taste*, i.e. it is based on a feeling of pleasure and dislike. He distinguishes between sensual and reflective taste, a distinction Arendt does not explicitly take up, but which is quite relevant nevertheless. *Sinnengeschmack*, sensual taste, is the immediate, unreflected reaction to an object or event, an immediate it-pleases-or-displeases-me that is

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<sup>152</sup> Cf. *ibid.*, pp. 76, 85.

based on our private personal situatedness, and is so radically subjective that it defies communication.

*Reflexionsgeschmack*, reflective taste, on the other hand, is claiming objectivity. In order to do so, and to make communication even possible, we need to *take into account the possible views and standpoints of others*. We need to *distance* ourselves from the object in order to make sure we are not ridden by immediate pleasure or interest: we need to re-present the object in our memory in order to avoid being overwhelmed by the immediate feelings we experience in the presence of the object. Kant calls this reflective distance *disinterestedness*. That means we are not driven to a judgement by our personal, arbitrary situatedness and private interests.

The possibility of such an *enlarged mentality*, that is taking into account others' viewpoints as well as my own, is a *sensus communis*, a sense we share in common with other people. For Kant this *sensus communis* means that all humans share in common the same faculties and are thus able to have the same kind of experiences, views, impressions. For Arendt this *sensus communis* is more of a common ground that certain people share together: we can choose our company, choose whose viewpoints we take into consideration. In a way, Arendt therefor interprets the concept of *sensus communis* in an Aristotelean way.

The type of judgement based on reflective taste, is thus best described as a kind of inter-subjectivity. It remains subjective, based on feelings of pleasure and dislike, but it claims objectivity, and in order to do so, goes beyond the tight limits of closed, unreflected subjectivity. However, despite the fact that the judgement claims objectivity, and takes into account many different viewpoints,

it remains subjective. The different viewpoints are all imagined by one individual, we are by no means dealing with actual positions of other people, just possible ones imagined by the judging individual. Thus the judgement remains individual and subjective. And the faculty of judgement remains to be taste, and not understanding or rationality.

### Relating Early and Late Accounts

Arendt takes up only the idea of judgements based on reflective taste. However, in *Understanding and Politics*, she seems to have a sense of judgements of sensual taste as well. We have seen that the process of forming a true understanding of an event, starts out with a preliminary understanding, a pre-judice. This seems to be very much parallel to sensual taste: It is also unreflected, an immediate reaction to something. The difference, however, is that preliminary understanding is rooted in the mind-set shared by a community of people (i.e. are social), while judgements of sensual taste are radically subjective. Then understanding incorporates some knowledge, undergoes a reflection and becomes true understanding (parallel to reflective taste).<sup>153</sup> For understanding, too, is based on common sense, which presupposes a common world and is, thus political (as distinguished from the logicity of ideologies which is not dependent on the world).<sup>154</sup> Both judging and understanding are described as the connection of particular and

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<sup>153</sup>*UP*, p. 311.

<sup>154</sup>*Ibid.*, p. 318.

universal.<sup>155</sup> Both are needed especially in cases where we lack all standards of judgement.<sup>156</sup> And both are based on the faculty of imagination, which puts the object of thought at the proper distance needed for reflection.<sup>157</sup>

We thus see, that understanding and judgement are very intimately related – to such an extent that it seems as if Arendt is actually referring to the same capacity. This claim is strengthened further by the obvious similarity between these two concepts in BPF. In *Understanding and Politics*, Arendt makes it clear that what is needed for this politically most relevant activity of the mind, is neither the calculating rationality and data-analysis of cognition, nor strictly logical reasoning, nor, indeed, “mere reflection or mere feeling.”<sup>158</sup> What is needed is a type of thought that is different from all these. And she finds it in an “understanding heart”, i.e. the capacity to relate, or, in more “modern” words: the faculty of imagination, which makes it possible to take into account the standpoints of others and which lies at the basis not only of understanding, but also of judging and common sense. This, however, “does not mean that understanding of human affairs becomes ‘irrational.’”<sup>159</sup> It is simply a different type of process of the mind, in which the common sense stands central, and which produces not truths but opinions.

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<sup>155</sup>Ibid., p. 313.

<sup>156</sup>Ibid., p. 321.

<sup>157</sup>Ibid., p. 323.

<sup>158</sup>Ibid., p. 322.

<sup>159</sup>Ibid., p. 323.

Thus we are at a distance from an overly rationalist conception of political judgement. However, we are also not falling prey to absolute arbitrariness where everything is based on a fully subjective feeling, without any thinking or objectivity. In fact, it is exactly this mere claim to objectivity (as opposed to the possession of absolute objectivity), i.e. the fact that we are dealing with opinion and not with an absolute truth, that is politically important. It ensures plurality and escapes the possibility of being frozen into the stringently logical system of an ideology that claims to hold the Absolute Truth. Truth compels, it forces to agree, whereas opinion can (“only”, we are tempted to say, but in fact this is a good thing!) try to convince. And the more different perspectives were taken into account, the more *inter*-subjective the opinion is, the better the chances that it will find broad agreement and consent. An opinion has no epistemic truth value, i.e. it cannot be true or false. In this regard it is much better fitted to the contingency and unexpectedness of human affairs. This does not mean, however, that opinions and judgments possess no validity or no standards for validity whatsoever. They can be legitimate or illegitimate (depending on whether or not they are based on facts),<sup>160</sup> and they can be subjective and idiosyncratic (based on private interests) or inter-subjective and general (disinterested, valid). And finally there is the standard of *amor mundi* to differentiate between judgments: good judgments create, sustain, care for the world.

We saw the importance of common sense and communicability also in the *Origins of Totalitarianism*, where we encountered the idea that it is

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<sup>160</sup>BPF, p. 234.



impossible to think without some kind of contact with others. This does not mean that we need to be in a dialogue with others, or that they need to be physically present. On the contrary, our thought process takes them into account, represents them, not so much their actual opinions, as the viewpoints of all possible others.<sup>161</sup>

We see immediately, that the description of thinking in OT is very different from that in LM. In LM, the two in one of thinking does not represent the viewpoints of others and does not retain contact with the world, but is constituted by the withdrawal from world and people. In OT, on the other hand, thinking – despite happening in solitude – retains and needs a connectedness with world and others. The silent dialogue of thought in OT is not merely between me and myself, but between me and a self that represents all others, i.e. takes into account their various viewpoints.

In this regard thinking in OT is much closer to judgment than to thinking in LM: Common sense (in OT) is needed not only for thinking (i.e. judging in the terminology of LM) but even for experience. In OT, Arendt writes as part of the discussion of loneliness, which eliminates the capacity for both experience and thought, that “even the experience of the materially and sensually given world depends upon my being in contact with other men, upon our *common sense* which regulates and controls all other senses and without which each of us would be enclosed in his own particularity of sense data.”<sup>162</sup>

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<sup>161</sup> Cf. *BPF*, 237.

<sup>162</sup> *OT*, pp. 475f.

The last sentence reminds of Kant's assertion of the incommunicability of matters of sensual taste, in the privacy and subjectivity of which we are remaining enclosed without common sense. In Arendt's theory of judgement we encounter similar statements. She ascertains that without imagination there is no sensuality, i.e. no perception and also no communication possible.<sup>163</sup> And critical thought (i.e. judgement) needs communicability and publicity.<sup>164</sup>

Thus, the faculty of judgement, corresponds to the descriptions of thinking and understanding in Arendt's early work, in that it is concerned with understanding the particulars of experience, i.e. it never aims at objects beyond reality and retreats from the world only temporarily. The most frequent application of judgement is the backward gaze of the spectator who reflects on past events (see HC, UP, partly BPF and *The Life of the Mind*) and thus makes humans feel at home in the world. It connects particular and general in cases where the general rule is not given, i.e. it always starts from the particular not from a generalization. It goes beyond usefulness and functionality. It is telling that, in the HC, Arendt relates thinking to art when in her later work she takes her inspiration for her analysis of judgement from Kant's aesthetics. In the HC she writes, "the immediate source of the art work is the human capacity for thought" and "thought is related to feeling and transforms its mute and inarticulate despondency ... until they are fit to enter the world."<sup>165</sup> In Kant the

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<sup>163</sup>LKPP, pp. 83f.

<sup>164</sup>Ibid., p. 42, 40.

<sup>165</sup>HC, p. 168.

immediate source of the artwork is common sense and genius (with the emphasis on the former), and the faculty that makes possible the communicability of subjective feelings is common sense as well (cf. the transition from sensual taste to reflective taste). This shows once more how close Arendt's early description of thought actually resembles her later depiction of judgement.

The key in all the texts we analysed is that thought (in the early formulation)/understanding/judgment is closely related to a common sense and thus to plurality and companionship of people. In that sense it is also much closer related to action than any other activity of the mind which are all content with singularity, i.e. need only one thinking mind individually (logics is possible in full isolation, thinking in the later definition is a retreat from the world, carried out in solitude and in direct opposition to common sense, willing (despite also related to acting in the sense that it envisages projects) is also clearly rooted in and referring to one mind only).

Thinking, in the description of LM, fundamentally differs from the earlier accounts in that it is abstract, retreated from the world and from particulars, and in opposition to the common sense. There thus seems to be a difference between a *metaphysical* quest for meaning (which is abstract and worldless, and corresponds to the later account of thinking) and a *political* quest for meaning (which always remains in contact with reality and with the companionship with other people – i.e. understanding and thinking in the early work and judging in BPF and LM).<sup>166</sup> Politically relevant is, obviously, the latter. In LKPP, where

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<sup>166</sup> Cf. LM, I, p. 94.

Arendt uses judging and critical thinking as synonyms, we can read: “the art of critical thinking always has political implications. ... Unlike dogmatic thought, which indeed may spread new and ‘dangerous’ beliefs ... and, again, unlike speculative thought, which rarely bothers anyone, critical thought is in principle antiauthoritarian.”<sup>167</sup>

The political importance of judging is, firstly, that it does not simply uncritically adopt the opinion or follows the rules of someone else, i.e. it is autonomous and independent, and secondly that it nevertheless is a public activity that can occur only in a community with others. This does not mean, that others need to be physically present while one thinks, it merely means that one takes into account the possible standpoints of others in one’s considerations: “Hence, critical thinking, while still a solitary business, does not cut itself off from ‘all others.’ ... By the force of imagination it makes the others present and thus moves in a space that is potentially public.”<sup>168</sup>

To avoid misunderstandings, Arendt explains: “The trick of critical thinking does not consist in an enormously enlarged empathy through which one can know what *actually* goes on in the mind of all others,” for this would “mean no more than passively to accept their thought, that is, to exchange their prejudices for the prejudices proper to my own situation.”<sup>169</sup> Rather, critical

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<sup>167</sup>LKPP, p. 38. I will adopt the terminology Arendt uses here in order to distinguish between thinking in the definition of LM, thinking in the formulation of the early works, and judgment as defined in LM and the Kant lectures: Critical thinking, which Arendt frequently uses as a synonym for judgment, will encompass also the early definitions of thinking, and speculative thought will henceforth refer to thinking in the definition of LM.

<sup>168</sup>LKPP, p. 43.

<sup>169</sup> Ibid.

thinking is about abstracting from my private situatedness and personal interests, by comparing my point of view with these of possible others, i.e. taking possible other perspectives into account and thereby to ensure a certain generality of my thought which constitutes its communicability and the possibility that others will agree with me.

With this description of critical thinking (corresponding to thinking and understanding in her early work; and to judging in BPF and LM) we found the type of activity of the mind that, if any, could potentially forego political action and protests. I suggest, that what Arendt had in mind when she wrote “validity and meaningfulness are destroyed the moment thought and action part company”<sup>170</sup> (which was our starting point in this chapter) is this type of critical thinking (encompassing, I believe, both retrospective as well as prospective judgment – but these issues will be discussed in more detail in the third chapter).

With this definition of critical thought, moreover, we can accommodate experiences such as the speech of Tawakkul Karman: indeed, we are not claiming that a full insight and analytical grasp of the situation is needed as a precondition for political activity. Arendt makes it clear, that political thinking is neither the calculating rationality and data-analysis of cognition, nor the strictly logical reasoning of ideology, nor, indeed, “mere reflection or mere feeling.”<sup>171</sup> Rather, it is the capacity to take into account possible standpoints of others – which is firmly rooted in human togetherness. It produces no knowledge nor

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<sup>170</sup>*HC*, p. 225.

<sup>171</sup>*UP*, p. 322.

truth, but merely opinions. It is something between subjectivity and objectivity, i.e. an inter-subjectivity.

Kant goes even one step further, when he argues that reflective judgement is non-conceptual.

### Judgement as Non-Conceptual: An Excursus on Kant

Kant locates reflective taste on a middle ground between objectivity and subjectivity. The key to understand this issue is to posit empty or undetermined concepts. In this way reflective taste can be simultaneously subjective (not based on, nor leading to, concepts) and general, i.e. almost-objective (referring to concepts in some way).

But let us first see how Kant describes the exact location of reflective taste in between subjectivity and objectivity. Judgements of taste possess, according to Kant, a *subjective generality* (*subjektive Allgemeinheit*): They are universally valid (i.e. general), but without a concept (i.e. subjective). Kant needs to ascertain this aspect in order to demarcate the faculty of judgement from understanding, the faculty of concepts. Judgements are based (rather than on concepts) on the *feeling* of pleasure and displeasure, i.e. they are based merely on the *effect* an object has on *us*. Therefore they are subjective.

However, Kant distinguishes between reflective and sensual taste: judgements of reflective taste (concerning beauty) are based on the effects an object has on our cognitive faculties and are not based on interests. Judgements of sensual taste (concerning the comfortable), on the other hand, are based on the immediate effect an object has on our senses and are connected with

interests. Thus the latter are fully subjective without any claim to generality, whereas the former do have such a claim to generality.

This generality is based on the fact that the judgement is based on the effect on the mere *formality* of our cognitive faculties and on the fact that it is based on no interests. Possible private reasons and predispositions are not decisive for the judgement. Therefore, judgements about something comfortable are merely subjective, judgements about the good as well as scientific/logical judgements are fully objective, while judgements about beauty or the sublime possess a subjective generality. They do not postulate everyone else's agreement, they merely request or woo (*ansinnen*) everyone else's agreement.

It is in this sense that Kant refutes the general saying that "there is no arguing about taste". Kant says there is arguing *only* about taste (i.e. reflective taste). The *comfortable* (i.e. judgements of sensual taste) is purely subjective and indeed there is no arguing about that. We do not expect anyone to agree with us. Therefore, even if there are different opinions, there is no argument; not least because we are incapable of communicating something so entirely subjective.

The *good* (just as scientific knowledge or logical statements), on the other hand, is fully objective: there is no arguing (*streiten*) about that either, there is only disputing (*disputieren*), i.e. deciding according to proofs (*durch Beweise entscheiden*):<sup>172</sup> If two people have different convictions this can be settled by bringing forward proofs, and the moment person A has seen the

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<sup>172</sup> Cf. Immanuel Kant, *Critique of the Power of Judgment*, transl. P. Guyer & E. Matthews (Cambridge: Cambridge University Press, 2000), §56, B234[338].

proofs for the truth of person B's statements, there is no arguing anymore because A will be compelled by the proofs and "forced", as it were, to agree.

Only about reflective taste (e.g. in the case of *beauty*) there is arguing because these types of judgement are a matter of opinion not truth (thus the argument cannot be resolved by proofs), yet they claim generality, they request everyone else's agreement (thus there is arguing because we do not let the matter rest if others have a different opinion). And because they possess a (albeit limited) generality they are also communicable (we see the political importance of this aspect).

Reflective taste is, thus, this middle ground between subjectivity and objectivity. It is subjective, yet claiming generality; it is based on a *feeling* of pleasure and dislike, yet more than a mere subjective feeling of comfort (in this regard it differs from sensual taste); it is not based on nor leading to any concept (in this regard it differs from determining judgements leading to knowledge claims: "Thoughts without content are empty, intuitions without concepts are blind."<sup>173</sup> Here concepts are crucial. Not so in reflective taste.). Thus reflective taste is not based on nor leading to any concept, yet it does refer to concepts in some way (i.e. is more than simply without any concept at all).

We see that this ambiguity regarding the relation to concepts is a necessary and constitutive element of judgements of reflective taste. Kant needs to ascertain that these judgements are not based on a concept. Otherwise the responsible faculty would not be the power of judgement, but understanding or reason. The judgement would then be intellectual and not aesthetic, it would be

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<sup>173</sup> Immanuel Kant, *Critique of Pure Reason*, transl. P. Guyer (Cambridge: Cambridge University Press, 1999), A51=B75.



objective and not subjective(-ly general). Yet, judgements of reflective taste cannot be without concepts altogether because then they would conflate with judgements of sensual taste. Some conceptuality is needed in order to ensure communicability and the claim to generality.

Thus, the conception of a reflective activity of our faculties related to, but not based on, a concept (or concepts) opens up a new way of approaching our cognitive faculties. There is more than the simple dichotomy of rational-logical thought or pure irrational subjectivity.

The key aspect of this middle ground location in between subjectivity and objectivity is that a judgement of reflective taste is more than without any concept at all and yet less than with a concept. However, this relation of judgements to concepts is very ambiguous and Kant's statements concerning this issue are anything but clear. In the *Introduction*, for example, Kant describes the "mere apprehension of the form of an object of intuition *without a relation of this to a concept*" as a key element of aesthetic judgement, yet in the very next sentence he writes, "that apprehension ... can never take place without ... *relating intuitions to concepts*".<sup>174</sup>

I suggest that we can understand these ambiguous claims by positing empty or undetermined concepts: the judgement of taste is not based on, nor referring to any *specific* concept, i.e. it is not determined by a concept. However,

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<sup>174</sup>Immanuel Kant, *Critique of the Power of Judgment* (Transl. P. Guyer & E. Matthews. Cambridge: Cambridge University Press, 2000), Introduction VII, B XLIV [189-190], my emphasis: "bloße Auffassung der Form eines Gegenstandes der Anschauung, ohne Beziehung derselben auf einen Begriff"; but: "jene Auffassung ... kann niemals geschehen, ohne ... Anschauungen auf Begriffe zu beziehen". Hereafter referred to as CPJ.

it creates the *structure* for a concept, but leaves the *concept undetermined*. The concept is, we could say, *free*: it is merely a *placeholder* for a concept.<sup>175</sup>

Reflective taste is, then, based on undetermined concepts. Kant's text offers ground for three different interpretations of the exact meaning of this idea of an undetermined concept as constitutive characteristic of the aesthetic judgement: It can be the concept of the ground of transition from the realm of understanding to that of reason (*Introduction II*). Alternatively it can refer to the subsumption of the faculty of imagination to the faculty of understanding (§35). Or, lastly, it can mean a concept of reason as opposed to a concept of the understanding (§57, §59).

Firstly, it can be the concept of the ground of transition from the realm of understanding (theoretical philosophy) to that of reason (practical philosophy). Before understanding the meaning and nature of this concept, we first need to grasp what is at stake with this transition.

Kant writes that the two domains of philosophy (theoretical and practical) are divided by an "incalculable gulf" so that "no transition is possible".<sup>176</sup> Theoretical philosophy produces no knowledge of the things in themselves (i.e. of the supersensible), only of appearances or things for us (i.e. the sensible). Practical philosophy, on the other hand, deals with the thing in itself, but cannot represent it in our intuition. Therefore it yields only practical, but no theoretical knowledge of the supersensible.

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<sup>175</sup>Cf. *ibid.* §4 B11 [207] "die zu irgendeinem Begriffe (unbestimmt welchem) führt": it leads to any concept, undetermined which. Cf. also §57, B236 [340]f.

<sup>176</sup>*CPJ*, *Introduction II*, BXIX [175-6]: "unübersehbare Kluft", "kein Übergang möglich".

These two domains are thus completely separate and cannot influence one another. Nevertheless there *should* be an influence from one to the other, “namely the concept of freedom should make the end that is imposed by its laws real in the sensible world.”<sup>177</sup> That means that morality (which is characterized by freedom) should be realized in our sensible, natural world (which is determined by causality). Thus there needs to be a unity of the supersensible as it is contained in the (theoretical) concept of nature and the (practical) concept of freedom respectively.

In the introduction, when explaining the relation of his three *Critiques*, and the place of the *Critique of the Power of Judgement* within his philosophical system, Kant writes:

There must, therefore, be a *ground of the unity* of the supersensible, which lies at the basis of nature, with that which the concept of freedom practically contains; and the *concept of this ground*, although it does not attain either theoretically or practically to a knowledge of the same, and hence has no peculiar realm, nevertheless makes possible the transition from the mode of thought according to the principles of the one to that according to the principles of the other.<sup>178</sup>

*This* concept that makes possible the transition from the mode of thought of the one realm to that of the other, this concept is the concept of the faculty of judgement. We can understand that Kant is talking about the concept of the power of judgement here, because he mentions repeatedly that the power of

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<sup>177</sup> Ibid.: „nämlich der Freiheitsbegriff soll den durch seine Gesetze aufgegebenen Zweck in der Sinnenwelt wirklich machen“.

<sup>178</sup> Ibid., Introduction II, B XX[176], my emphasis. “Also muss es doch einen Grund der Einheit des Übersinnlichen, welches der Natur zum Grunde liegt, mit dem, was der Freiheitsbegriff praktisch enthält, geben, wovon der Begriff, wenn er gleich weder theoretisch noch praktisch zu einem Erkenntnis desselben gelangt, mithin kein eigentümliches Gebiet hat, dennoch den Übergang von der Denkungsart nach den Prinzipien der einen zu der nach Prinzipien der anderen möglich macht.“

judgement enables the transition between understanding and reason.<sup>179</sup> And it is clear that the transition he talks about in this quote is that from understanding to reason: Understanding is our faculty of cognition, which deals with nature (thus it has an idea, but no knowledge<sup>180</sup>, of the supersensible “which lies at the basis of nature”). Reason, as our faculty of volition directed at freedom, has an idea of the supersensible “which the concept of freedom practically contains,” but without being able to represent it in intuition (*Anschauung*). Thus the concept of the ground of this unity of the supersensible contained in understanding and reason respectively, is the concept of the power of judgement.

It also fits to the other descriptions and characteristics given of the concept of the power of judgement, i.e. that it does not produce any knowledge,<sup>181</sup> or that the power of judgement does not have a corresponding philosophical domain of its own.<sup>182</sup> Nevertheless, it is because this concept of the unity of the supersensible constitutes the transition from one way of thinking to the other, i.e. from practical to theoretical philosophy, that the

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<sup>179</sup> Cf. e.g. *ibid.*, Introduction III, BXXI [177]: „...ein Mittelglied zwischen dem Verstande und der Vernunft. Dieses ist die Urteilkraft.“ Or Introduction IX, B LV [196]: „Die Urteilkraft gibt den vermittelnden Begriff zwischen den Naturbegriffen und dem Freiheitsbegriffe“

<sup>180</sup> *Ibid.*, Introduction II, B XVIII[175]f.: „... das Übersinnliche ..., wovon man die Idee zwar der Möglichkeit all jener Gegenstände der Erfahrung [d.h. Objekte des Erkenntnisvermögens, Anm.] unterlegen muss, sie selbst aber niemals zu einem Erkenntnis erheben und erweitern kann“, emphasis added.

<sup>181</sup> Cf. e.g. *ibid.*, §1 B4 [203] “Das Geschmacksurteil ist kein Erkenntnisurteil,” or Preface B VII [169]: “einen Begriff..., durch den eigentlich kein Ding erkannt wird.” Emphasis added.

<sup>182</sup> Cf. e.g. Preface, B VI[168]: „... obgleich ihre [d.i. der Urteilkraft, Amn.] Prinzipien in einem System der reinen Philosophie keinen besonderen Teil zwischen der theoretischen und praktischen ausmachen dürfen...“

*Critique of the Power of Judgement* is of vital importance for and within Kant's philosophical system.

But how does this description of the concept help to explain how the power of judgement is and is not based on a concept, i.e. is based on an "undetermined concept" as I phrased it? The concept of the ground of the unity of the supersensible is not a concrete concept: it does not determine what this ground is (it does not lead to any knowledge of it), but as a free (placeholder) concept of the power of judgement it merely denotes that there is (or has to be) such a ground. Kant writes:

Through the possibility of its a priori laws for nature the *understanding* gives a proof that nature is cognized by us only as appearance, and hence at the same time an *indication of its supersensible substratum*; but it leaves this entirely *undetermined*. The *power of judgment*, through its a priori principle for judging nature in accordance with possible particular laws for it, provides for its supersensible substratum (in us as well as outside us) *determinability* through the intellectual faculty. But *reason* provides *determination* for the same substratum through its practical law a priori; and thus the power of judgment makes possible the transition from the domain of the concept of nature to that of the concept of freedom.<sup>183</sup>

*Understanding* indicates that there must be a supersensible substratum behind its sensual perceptions, but does not have any knowledge about it and thus leaves it *undetermined*. The *power of judgement* now provides *determinability* of this supersensible substratum. And *reason*, finally, *determines* it through reason's practical law. This *determinability* is the first possible meaning of the "undetermined concept".

The second possible interpretation derives from an analysis of the harmony of the faculties, which is the ground for an aesthetic judgement. Kant

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<sup>183</sup>Ibid., Introduction IX, B LVI[196], emphasis added.

claims that the pleasure we experience in the face of something beautiful, is based on a harmony of our cognitive faculties, which is brought about by the contemplation of that beautiful object. This harmony is the free submission of the faculty of imagination to the faculty of understanding.

Usually understanding gives concepts and thereby subjects the imagination, which is now limited by those concepts. However, since in judgement no concepts of understanding are involved, the imagination is in a free play (“productive and self-active”<sup>184</sup>) but in that free play (in the case of beauty) subjects itself freely to the *capacity* of the faculty of understanding to produce concepts or to proceed from images (*Anschauungen*) to concepts. Thus the imagination schematizes without concept, i.e. freely submits itself to the lawfulness of the understanding even without there being involved a particular concept.

The subsumption under a general rule of the aesthetic judgement, is thus indeed not the subsumption of intuitions under concepts, but “of the *faculty* of intuitions or presentations (*i.e.* the Imagination) under the *faculty* of the concepts (*i.e.* the Understanding); so far as the former *in its freedom* harmonises with the latter *in its conformity to law*.”<sup>185</sup>

This harmony is stimulated by the beautiful object. But despite it is dependent on an external stimulus, it is nevertheless subjective and not

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<sup>184</sup>Ibid., Remark, B 69[240]: „produktiv und selbsttätig“.

<sup>185</sup>Ibid., § 35, B146[287], emphasis in the original: “...ein Prinzip der Subsumption, aber nicht der Anschauungen unter Begriffe, sondern des Vermögens der Anschauungen oder Darstellungen (d.i. der Einbildungskraft) unter das Vermögen der Begriffe (d.i. den Verstand), sofern das erstere in seiner Freiheit zum letzteren in seiner Gesetzmäßigkeit zusammenstimmt.”

objective, because it is the internal response of our faculties to that external stimulus, not any aspect of the external object itself. Yet, since our faculties could be stimulated by that object in such a way, and since everyone else possesses the same faculties, we suppose that everyone else *should* (but does not objectively have to, hence the possibility for disagreement and argument) react in the same way. Hence the claim to generality.

Kant calls this experience a “common sense”, by which he means “not ... any external sense but rather the effect of the free play of our cognitive powers”.<sup>186</sup> The common sense is thus really universal since it is based merely on the *formal* characteristics of our cognitive faculties (subjection of faculty to faculty), which all people share in common. The necessity of pleasure is therefore a subjective one, but represented as objective under the presupposition of a common sense.

The undetermined concept in this case refers to the subsumption of the faculty of imagination to the faculty of understanding and in this sense functions indeed as a placeholder: understanding does not give any particular concept, but imagination submits to the general potential of understanding to give concepts.

The third interpretation takes as a starting point the solution of the antinomy of taste as presented by Kant by means of the differentiation of concepts of understanding and concepts of reason. Concepts of understanding are determinable by sensual intuition. Concepts of reason, on the other hand,

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<sup>186</sup>Ibid., §20, B 64[238]: „wodurch wir aber keinen äußeren Sinn, sondern die Wirkung aus dem freien Spiel unserer Erkenntniskräfte verstehen“.

cannot be determined through intuition (since they concern the supersensible). Thus, the undetermined concept in the aesthetic judgement can be considered a concept of reason. Whereas, when we say aesthetic judgements are not based on concepts, nor create any, we refer to concepts of understanding.<sup>187</sup>

However, there is a way in which we can underlay a concept of reason with an intuition nevertheless: that is in a *symbolic* way. (If we underlay an empirical concept with an intuition, it is an example; for a concept of understanding it is a scheme, and for a concept of understanding a symbol (cf. § 59)). Thus, since no empirical image will ever be adequate for the concept of reason, we can underlay it only symbolically. In this way, the beautiful is a symbol of the morally good.<sup>188</sup> The opposite of a concept of reason, is an aesthetic idea:

by an aesthetical Idea I understand that representation of the Imagination which occasions much thinking, without, however, any definite thought, i.e. any concept, being capable of being adequate to it; it consequently cannot be completely compassed and made intelligible by language.<sup>189</sup>

I believe that these two (aesthetic idea and concept of reason) are more closely related than explicitly stated. I want to claim that it is an aesthetic idea with which we underlay the concept of reason. And this is why the beautiful becomes a symbol of the morally good. In this way also, we can come to see a possible reconciliation of the three different interpretations of the idea of the undetermined concept.

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<sup>187</sup> Cf. *ibid.*, §57.

<sup>188</sup> *Ibid.*, §59, B258[353]: “Das Schöne ist das Symbol des Sittlichen; und auch nur in dieser Rücksicht (...) gefällt es mit einem Anspruch auf jedes anderen Beistimmung”.

<sup>189</sup> *Ibid.*, §49, B 192f. [314].



We saw that in aesthetic judgements the understanding does not give any concept, which invites the imagination to freely submit to the potential of creating concepts. The absence of an (adequate) concept defines aesthetic ideas. But I suggest, that the fact that no intuition will ever be adequate to the concept of reason in turn inspires the imagination to be even more creative (and hence again also more impossible to be grasped by one determined concept of understanding). Maybe we have to understand the mutual enhancement of the faculties in the contemplation of beauty in this way. Surely this is the case when the pleasure in beauty is connected with an intellectual interest.

An important characteristic of aesthetic judgements is that they are disinterested. Yet, the pleasure taken in a beautiful object can be *disinterested* and yet nevertheless *interesting* (cf. footnote to §2). Kant distinguishes between two kinds of interest: either empirical or intellectual. The empirical interest is indirect and ex post facto. It is experienced in society. Due to our social nature (sociability) we take pleasure in being able to share our experience of beauty. And thus we have an interest in the existence of the beautiful object. The communicability of the experience of pleasure is thus promoting (furthering) our natural disposition and thereby creating an interest (cf. §41).

The intellectual interest in the beautiful is different in that it is not added ex post facto, but is related to the judgement a priori. This interest is experienced in solitude, and not concerned with objects of art, but with the beautiful in nature. The person who has an intellectual interest in the beautiful loves the object of beauty so much, that he does not want to miss it. Thus he has an interest in the existence of the object, but without any benefit – the interest is intellectual. In this interest we see the transition from the aesthetic judgement

to the moral one. As we have seen, reason is interested in the fact that its ideas have objective reality, i.e. it is interested in the purposiveness of nature. Thus the intellectual interest in the beautiful is moral by affinity (cf. §42).

In the case of an intellectual interest in beauty it is thus clearly the case that the beautiful functions as a symbol for morality and that the faculties (imagination, understanding and reason) thereby mutually enhance each other in the way described above. But I would go so far as to claim that this is the case not only when the pleasure in beauty is connected with an intellectual interest, but that this is in fact *always* the case. The following quote supports this claim: “the Beautiful is the symbol of the morally Good, and that it is *only in this respect* (a reference which is natural to every man and which every man postulates in others as a duty) that it gives pleasure *with a claim for the agreement of every one else*.”<sup>190</sup>

We could, then, understand the harmonic interplay of the faculties in the following way: A beautiful object is given to imagination, to which the understanding does not supply any determined concept. The imagination submits freely to understanding as the faculty that has the capacity to provide determined concepts (interpretation 2). In this sense the power of judgement provides a “placeholder” for a concept: through the free submission of imagination to understanding we have a free schematization which is more than no concept at all, but at the same time less than an actual determined concept. We experience this as free purposiveness (again, the purposiveness is not determined by any specific purpose).

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<sup>190</sup>Ibid., §59, B258[353], my emphasis.

By the fact that no determined concept is adequate to our aesthetic ideas we are reminded that the concept we are aiming at is the undetermined concept of reason to which no intuition is adequate (interpretation 3). Thus we underlay the undetermined concept of reason (the concept of freedom) with the aesthetic idea in a symbolic fashion. The free concept of a purposiveness without purpose thereby refers to the possibility of a final purpose (Endzweck), which, as a moral concept, belongs to reason. But since it is imagined as realized (or realizable) in the sensual realm it forms the bridge between understanding and reason (interpretation 1).

In that way the power of judgement makes possible the transition from the mode of thought of understanding to that of reason through the principle of purposiveness. In this way, too, all the faculties inspire and vitalize each other, while at the same time not determining each other through concepts so that their harmony is truly free. And this harmony is the common sense and as such communicable and shareable with others.

Kant's description of reflective taste, thus, opens a very valuable possibility to overcome the all-too common strict dichotomy between strictly logical-rational objectivity and merely emotional subjectivity. Kant offers a middle ground, which is crucially based on an ambiguous relation to concepts. I argued that we can understand this by positing empty or undetermined concepts. We have seen three different possible ways of interpreting this notion of undetermined concepts: either as the concept of the ground of transition from the realm of understanding to that of reason, or as the free subsumption of the faculty of imagination to the faculty of understanding, or, lastly, as referring

to a concept of reason as opposed to a concept of understanding. Finally I suggested a way to reconcile these three different interpretations and showed how we can understand them as being intrinsically inter-related through the symbolic connection of beauty with morality, which enables the transition between the two realms of philosophy.

To relate it back to our original – political – question, the significance lies in elaborating a space that lies in between subjectivity and objectivity, that is more than mere arbitrariness and emotionality but at the same time less than a Truth that freezes reality and cannot accept contingency (unexpectedness) and freedom. The idea of an undetermined concept suggests that in the realm of opinion and common sense we are not always having the full insight (i.e. are not able to determine the concept). Nevertheless we achieve communicability by thinking as part of a community of humans (and not as isolated individuals). Furthermore, it is only because the concept remains undetermined, that our imagination is free (productive and self-active) and our faculties vitalize each other. This undeterminedness thus actually furthers our capacity of judgement and our freedom of thought.<sup>191</sup>

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<sup>191</sup> This reading allows for an interpretation of the faculty of imagination as active and creative, rather than as merely reproductive and passive. For a discussion of the role of imagination in judgment see Marshall and the debate between Zerilli (“We Feel Our Freedom” and “Response to Thiele” in *Political Theory* 33, no. 5 (2005), pp. 715-720) and Thiele (“A Reply to Zerilli”).

## Conclusion

I said in the beginning that this chapter follows up on the essays by Marshall, Steinberger, and Bernstein, who already provided analyses of concept development in Arendt's work. I shortly want to point out the ways in which this chapter enhances and expands their analyses, in which way our conclusions are similar and in which way they differ.

Steinberger analyses judgment as it emerges from Arendt's account of action, focusing mainly on the HC. He thereby counters the argument that there is a shift in her theory of judgment from early to late and that Arendt turned away from action and toward philosophy and argues for a continuous reading of her theories. In line with what I argued above, he emphasises that for Arendt politics has nothing to do with rationality and truth, rather her understanding of politics requires a particular type of thinking, which is judgment. He shows the importance of the mental faculties for the *vita activa* (to deny their importance would be to turn political actors into mindless zombies). His most relevant argument for our discussion is that judgment is a particular form of thinking. Thinking can be the handmaiden of contemplation, but also of action. In the latter case it is judgment and "regains its natural freedom and identity, emerging finally as the definitive intellectual faculty of political life, the only kind of mental faculty appropriate to the public realm."<sup>192</sup> This reading supports the argument made above, i.e. that thinking in the HC contains characteristics that are later being attributed to judgment. Furthermore, it immediately

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<sup>192</sup> Steinberger, p. 812.

establishes a close link between judgment and action, without, however, analysing and discussing this further. He then suggests a structure of the mental faculties in which thinking is opposed to willing and consists of the three subcategories of logic, cognition, and thought, whereby thought is again being distinguished according to whether it serves the contemplative life or the life of action. In the latter case it is judgment. While this structure and categorization is intuitively convincing, and cannot reasonably be disputed on the basis of the HC, it is problematic in light of the structure of the LM: it cannot be reasonably explained why Arendt would choose thinking, willing and judging as the three main faculties of the mind if they are situated on three different levels of generality in the overall structure as suggested by Steinberger. Of course, his categorization can still be maintained if one wishes to argue for a clear break between Arendt's early and late writings, but Steinberger explicitly refutes this argument. Therefore his claim about the structure of the mental faculties is worth to be re-examined.

He ends his article with some problems that he detects in Arendt's theory. Firstly, there is a lack of properties and principles to differentiate between good and bad judgments. However, I think, that in the discussion above, we came across at least some such aspects that help to understand what is at stake in judgments: we saw that they can legitimate or illegitimate, depending on whether or not they are based on facts, they can be subjective and idiosyncratic if they are based on a private interest or general and intersubjective if they manage to transcend personal interest, and finally a good judgment might depend on the extent to which it helps to create, sustain, and take care of the common world. More standards might not be possible, because

it is the characteristic of judgment to make decisions and formulate opinions in cases where no standards exist. Secondly, Steinberger argues that there is the problem that there is no ground for political wisdom in Arendt's theory. He claims that in her theory public life is not at all available for "standard kinds of rational analysis."<sup>193</sup> However, this is not fully true. In the discussion of UT as well as BPF we have seen the role factual knowledge and cognition play as a basis for judgment. This means that political reality is of course available for standard kinds of rational analysis: it is of course part of the domain about which we can attain factual knowledge, and this is even a precondition for the possibility of proper judgment. But it is judgment that makes cognition politically relevant: it is the *meaning* judgment give to facts (which transcends mere cognition of facts) that makes judgment and not cognition the political type of thought. Of course there is the possibility for political *science*, but political science becomes politically relevant to the extent that it forms the basis for political judgment and politics (i.e. to the extent it transcends mere factuality and becomes the basis of a political opinion), or in the case where an ideology is emanated through the state and providing facts and factual statements helps to destroy or weaken the ideology (i.e. in cases where telling the truth becomes itself a political action).

Bernstein traces Arendt's "thinking about thinking" through her early work. He shows how thinking emerges as the new weapon in "The Jew as Pariah", how Arendt continues to define it as *Selbstdenken*, as a thinking without banisters, as new thinking, as break with the tradition in "On Humanity in Dark

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<sup>193</sup> Ibid., p. 817.

Times”, how in her essay on Walter Benjamin, the thinker is likened to a pearl diver who yields the past in a new crystalized form. In BPF thinking is described as a creative activity that requires remembrance and story telling and that takes place in the timeless gap between past and future. Bernstein continues to show how in “Politics and Philosophy” Socrates is taken as a model, who reveals δόξα in its own truthfulness, and how here thinking is essential for politics and closely related to acting. Finally, he traces thinking in the HC, which is framed by references to thinking: The enterprise of the book is described as “thinking what we are doing”, and thinking is called the highest capacity of men.

In an attempt to show how all these threads are woven together he turns to LM and defines thought, first negatively, as not bringing knowledge, producing practical wisdom, solving the riddles of the universe, nor endowing us directly with the power to act. Positively defined, thinking is dealing with meaning, it is asking unanswerable questions, it is related to art, poetry, language and metaphor, and it is manifested in speech through metaphor, and it may liberate the faculty of judgment in times of crisis.

However, Bernstein clearly states as well that “we do not find a systematic theory of thinking. Many of her reflections lose their vitality and freshness when we try to force them into a unified coherent theory.”<sup>194</sup> Although he does not see that necessarily as a problem or deficiency, he still points to one tension in Arendt’s writing that seems to him “deep” and “troubling.”<sup>195</sup> This tension is between the use of Socrates and Heidegger as models for thinking.

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<sup>194</sup>Bernstein, “Arendt on Thinking” p. 288.

<sup>195</sup> Ibid.



For in the case of Socrates we can see how the activity of thinking liberated the faculty of judgment, and there seems to be a clear relation between thinking and evil, thinking appears as related to action and within the realm of δόξα. In the case of Heidegger, however, despite he was a “thinker par excellence,” thinking did not liberate the faculty of judgment. Furthermore, his type of thinking cannot be ascribed to everyone. This makes Bernstein question the relation between thinking and evil. He therefore detects a need for further clarification of the concept of thinking in order to be able to differentiate between the type of thinking of Socrates and that of Heidegger.

By means of the analysis above we could suggest that maybe the concepts of critical thought and speculative thought could provide such a possibility for distinction. I am not claiming that these concepts can reconcile all differences in Arendt’s texts and make them into a fully coherent theory. I agree with Bernstein on the fact that we simply do not find a fully systematic and coherent theory of thinking. But the distinction between critical thought and speculative thought that is occasionally used by Arendt could help to make sense of the most flagrant contradictions, especially if we understand (as suggested above) critical thought to refer to her early formulations of thinking as well as to her theory of judgment, and speculative thought to refer to her later definition of thought. Then critical thinking can be understood as politically relevant, related to acting, and liberating the faculty of judgment, and with a relation to evil, while speculative thought can be understood as metaphysical/philosophical thinking (not necessarily only of philosophers, but also of regular people), but without a necessary connection to politics, acting, evil, or the faculty of judgment.

In another article, in which Bernstein describes the two theories of judgment, he discusses judgment from the perspective of the *vita activa*, drawing mainly on BPF. He argues that politics is characterized by persuasion, opinion, debate, speech and publicness and that judgment plays a central role with regard to these things. He is describing judgment (in the sense of debate) as action (similarly like speech), but he is not posing the question whether the actor is judging prior to beginning something new, i.e. if judgment is also related to action conceived not as communicative action, but as expressive or performative action.<sup>196</sup> Bernstein argues that this early conception of judgment is in flagrant contradiction with the later account, in which judgment is described from the perspective of the *vita contemplativa*. From the perspective of the *vita activa*, judgment is a forward-oriented capacity of the actor, based on Aristotle and related to action. From the perspective of the *vita contemplativa*, it is the backward-oriented faculty of the spectator, based on Kant, and associated more and more with ethics and not with politics.

However, as we have seen in the discussion of BPF above, Arendt relates judgment to the future and the past, as well as to Kant and Aristotle in one and the same essay without contradiction. This perfect opposition appears questionable in light of the textual basis. I am not denying that there are texts in which Arendt focuses exclusively on one perspective over the other, but neither should we deny that there are texts that take into consideration both perspectives in one and the same text. The contradiction, therefore, cannot be

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<sup>196</sup>Cf. Yar, „From Actor to Spectator“, for a differentiation between expressive and communicative action, and Villa, „Modernity, Alienation, and Critique“ (esp. p. 294), for the introduction of a performative rather than an expressivist model of action in a discussion of Kateb.

that flagrant as Bernstein portrays it. And even Bernstein himself admits that there are hints at reconciliation in Arendt's text. It is surprising, then, that he retains the claim of a flagrant contradiction between two theories. Moreover, the contradiction between judgment as related to ethics and to politics respectively seems to me to be not very problematic either, since, in the passages concerned, the discussion of politics and ethics merges quite smoothly. Arendt remains concerned with political action, but in times of crisis (like during totalitarian regimes) the question of political action becomes one of ethics.

If anything, there seems to me to be a more problematic contradiction between linking thinking with ethics on the one hand, and linking judgment with ethics on the other. In the LM, Arendt writes that thinking prevents us from evil-doing because of the constitutive two-in-one of thinking. If we do something evil, we would not be able to bear our own company anymore.<sup>197</sup> Yet, judgment, and not thinking is called the faculty by which we distinguish between beautiful and ugly, as well as between right and wrong.<sup>198</sup> And "the precondition for this kind of judging is ... the disposition to live together explicitly with oneself, ... that is, to be engaged in that silent dialogue between me and myself."<sup>199</sup> Of course, Arendt says that thinking liberates the faculty of judgment, and that judgement is the manifestation of the wind of thought, but in this question it remains unclear what the precise distinction between thinking

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<sup>197</sup>LM, I, pp. 188ff, esp. 191.

<sup>198</sup>LM, I, p. 193.

<sup>199</sup>Hannah Arendt, "Personal Responsibility Under Dictatorship" in *Responsibility and Judgment*, ed. J. Kohn (New York: Schocken Books, 2003), p.44f.

and judging is, since the two seem to be conflated into one with regard to the question of evil. We will come back to the issue of evil in the third chapter.

Marshall, on the basis of the *Denktagebücher*, shows that for Arendt the key term concerning judgment in the 1950ies was κρίνειν (in the context of rhetoric, which she translated as *urteilen* and *entscheiden*, judging and deciding), and not φρόνησις. Hence there is no meaningful distinction to be made between actor and spectator. Furthermore, he argues, the hypothesis of a clear shift is overly simple and ought to be rejected because even in the early period Arendt understood judgment as something undertaken by both actor and spectator. This further strengthens what was said above.

Marshall shows that Arendt takes some concepts from Hegel as well. Amongst those mainly the idea that all judgments are what Kant calls reflective, because any determining judgment requires a prior reflective judgment: judgments are creating *topoi*, points of shared reference, which form the basis for making truth claims possible. Judging, therefore, is always extremely close to perception and cognition. This supports the argument about the link between facts and judgment made against Steinberger above. Furthermore, Marshall argues that Arendt took from Hegel the idea that aesthetic ideas and predicates are “placeholders” for concepts.<sup>200</sup> This is similar to the way I showed it to be for Kant above, and shows the relevance of these aspects for Arendt.

The political nature of judgments is further shown by the fact that judgment concerns always the possible and never the necessary (no-one

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<sup>200</sup>Marshall, p. 375.

deliberates about the necessary), and Arendt takes up the Hegelian stipulation that only controversial judgments are real judgments.

We traced in this chapter the concept development of the various activities of the mind. In *The Human Condition* Arendt distinguished between thought, cognition and logical reasoning. We explored the relation of logical reasoning to ideology and totalitarianism, the limited political significance of cognition and factual knowledge in connection to understanding, and the meaning-giving activity that is inspired by thought. In *Between Past and Future*, we encountered thinking, understanding, and judging, and finally we discussed how thinking and judging are described in *The Life of the Mind* and the *Lectures on Kant's Political Philosophy*.

I argued that understanding and judgment refer to the same operation of the mind, both in UP and BPF. Secondly, I tried to show that the concept of thinking in the early works was much broader than in the final definition of the LM, encompassing originally also some characteristics that Arendt later attributed to judging. I therefore suggested that the specific political type of deliberation is the kind of critical thinking that in her early work is called thinking and understanding and in the late work comes to be defined as judgment. This differs from the way thinking is described in the late works, which can be referred to as speculative thought. Steinberger, who discusses the concept of judgment as it emerges out of Arendt's theory of political action and thereby focuses mainly on the HC, agrees that judging is in fact a particular

species of thinking, i.e. that thinking in the HC can be considered to encompass judging as well.<sup>201</sup>

Thirdly, I argued that already in the early conception of thinking we find elements of “both” theories of judgment: retrospective and prospective.

Fourthly, I emphasised the in-between location of judgment: between subjectivity and objectivity, between rationality and private feeling, providing a placeholder for a concept. This is important for understanding the specific type of political deliberation that is at stake in judgment, leading to opinions, not truth, but claiming a generality nevertheless. The foregoing discussion of logical reasoning underlines the importance of this in-between location of judgment. Exactly the fact that judgment “merely” leads to opinion, not truth, that it can “only” try to convince, not force to agree, that it allows for plurality and is itself constituted by plurality, not unanimity and singularity – exactly this is its peculiar strength! Thanks to this it is not susceptible to the dangers of ideology, it is autonomous but based on plurality, intimately linked to the world and fellow humans. This in-between location allows to explain what is at stake in political deliberation, falling pray neither to overly rationalistic interpretations nor to fully private emotionality and incommunicable subjectivity.

Fifthly, I refuted the criticism that this lack of full objectivity and rationality is problematic because it disregards the importance of factual knowledge. I showed that facts and cognition do have a place with regard to judgment: they are forming the basis for judgment, but at the same time they themselves are also dependent on a foregoing judgment.

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<sup>201</sup> Steinberger, p. 812.

Sixthly, I argued that BPF cannot easily be categorized since it neither fits clearly to the early nor to the late work. It is ambiguous both concerning the historical chronology as well as (and much more importantly) the content. The “late” theory is already clearly present in the texts generally regarded as encompassing the “early” theory, and the texts oscillate freely between those two theories (between the two perspectives of actor and spectator and between the two sources, Aristotle and Kant).

The concepts changed and developed continuously and with small differences and oscillations amongst almost all texts. As a preliminary conclusion we can thus remark that a separation and categorization into two clearly distinguishable phases seems, in light of an analysis of concept development, overly schematic and simplistic. If one wants to focus on the differences and changes, one could differentiate amongst much more different “theories” than two. On the other hand, if one is willing to put the communalities central, all formulations have enough in common to be still reasonably treated as one theory with slight differences based on different foci in different texts. Moreover the claim of two theories is further weakened by the fact that the “late” theory is already clearly and explicitly present in the early texts.

The next chapter will analyse the two-theory-problem in more detail by focusing explicitly on the hints of reconciliation provided by Arendt. I will thus start where other secondary literature texts (such as Bernstein’s and Yar’s) ends, and try to analyse how this reconciliation could look like and what Arendt might have had in mind when writing these passages. If her theory allows for such reconciliation the argument of the two theories becomes very problematic and difficult to defend. If, however, such reconciliation is not possible, and our

attempt will merely make visible all the inherent contradictions and problems of Arendt's theory, we will have to embrace the argument that there are indeed two distinct and irreconcilable theories of judgment in Arendt's work.



## CHAPTER III

### LINKING JUDGMENT AND ACTION

#### Introduction

According to Beiner, we encounter in Arendt's "late" theory of judgment a sharp distinction between actor and spectator, and judgment is reduced to the retrospective attempt of the spectator to understand past events. Once the dust has settled and an event or a development has come to its end, it is possible to see it as a whole, to create the distance needed for impartial reflection and to understand the meaning of the event. "The upshot is that Arendt's more systematic reflection on the nature of judging resulted in a much narrower (and perhaps less rich) concept of judgment."<sup>202</sup>

If this is indeed the only type of judgment, there is the danger that we would become a kind of Angelus Novus like described by Benjamin:

A Klee drawing named "Angelus Novus" shows an angel looking as though he is about to move away from something he is fixedly contemplating. His eyes are staring, his mouth is open, his wings are spread. This is how one pictures the angel of history. His face is turned toward the past. Where we perceive a chain of events, he sees one single catastrophe that keeps piling ruin upon ruin and hurls it in front of his feet. The angel would like to stay, awaken the dead, and make whole what has been smashed. But a storm is blowing from Paradise; it has got caught in his wings with such violence that the angel can no longer close

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<sup>202</sup> Beiner, "Judging in a World of Appearance," p. 380.

them. The storm irresistibly propels him into the future to which his back is turned, while the pile of debris before him grows skyward. This storm is what we call progress.<sup>203</sup>

While we are desperately staring at the disasters of the past, trying to come to grasp with them, new and new things keep happening, which we again will be too late to change and which we will just stare at again when they are past. It is important that we turn around and focus our power of judgement on the present and the future as well as the past. Judgement and critical thought need to inform our actions in the present with a resonance in the future.

Indeed, there are some passages in Arendt that suggest the importance of thought for (prior to) action, not only as a backward looking capacity. For one, we find a description of judgment as a capacity of the actor in the “early” writings. Secondly, there is a number of “hints” scattered even through her “late” writings. These latter are possibly even more important, because they suggest, that Arendt did not fully change her theory or give up some of her earlier insights. The description of judgment as a capacity of the actor in the *early* writings were already discussed in the previous chapter. We have seen how the “late” theory is already present in the texts considered to contain her “early” theory.

In this chapter I want to focus on the *late* writings and explore the hints given at linking judgment and action. Thereby we will explore the extent to which elements of the “early” theory are still present in her late writings. Furthermore, exploring these various links between judgment and action and between judgment of the actor and judgment of the spectator will show once

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<sup>203</sup> Walter Benjamin, *Illuminations* (H. Arendt (ed.), H. Zohn (transl.), Schocken Books, New York: 1969), p. 257f.

more how many different types of judgment are hiding in Arendt's writing. The separation into two, clear-cut theories will therefore appear, once more, rather arbitrary. Thirdly, the argument that the "early" theory is political and the "late" theory philosophical will be addressed by exploring the political relevance of the "late" theory.

The question of opposition of the two perspectives of actor and spectator respectively, is closely related to the question of relation between judgment and action: Judgment from the perspective of the actor means judgment as forward-directed deliberation that forgoes action, i.e. of what is to be done. In that sense the discussion in this chapter can be read not only as what it evidently is, i.e. as responding to a debate in secondary literature and as trying to resolve or understand certain inherent problems and contradictions in Arendt's theory. It can also be read between the lines as an attempt to provide one possible theoretical answer to the question of consciousness formation processes prior to political action including protests and revolts. If judgment is defined as giving meaning and significance to the particular qua particular in the political sphere (i.e. in the common world of human interrelatedness as a space of appearance and action) in cases where there are no general standards and established categories according to which to decide; if, in other words, judging is based on critically questioning the established standards and rules in an explicitly political way and context; and if, furthermore, there really is a connection between judging and acting, i.e. if judging should indeed be also a capacity of the actor qua actor, directed to the future (which this chapter will explore), then maybe Arendt's theory can be understood as providing concepts for a possible theoretical understanding of how critical thought translates into action. In this

sense Arendt's theory could provide helpful concepts for studies of when people stop merely criticizing and complaining in thought, and start acting, i.e. manifest their thoughts publicly in action and speech, in other words, studies of when criticism turns into protests.<sup>204</sup>

I will begin this chapter with a short reconstruction of the problem of opposition between the perspectives of actor and spectator in Kant. This will lead to an analysis of Arendt's reply to this issue. She attempts to reconcile these perspectives within (but surpassing) Kant's theory. Then I will examine various other hints at reconciliation we can find in Arendt's theory and discuss how we can understand them in light of her work. This chapter will thus follow up on the essays in secondary literature that end with these hints as a perplexity but without trying to analyse them.<sup>205</sup> Not all of the various links that will be discussed are necessarily interrelated. Rather they can be categorized according to several types of judgment or several fields of application for the faculty of judgment. These are prospective judgment of the actor (i.e. deliberating the course of action), judgment as a basis for the possibility of action (embracing our freedom), retrospective judgment of the spectator as fulfilling an important role for action, retrospective judgment of the actor, and finally, judgment as action.

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<sup>204</sup> Of course, in Arendt action is much more than just protest, but protest definitely is a form of action. And Villa (in "Modernity, Alienation, and Critique," p. 305) shows that in the modern world, in fact, resistance (i.e. protest) is the only form of action still possible.

<sup>205</sup> Cf. esp. Bernstein ("Judging – The Actor and the Spectator") and Yar.

## The Actor/Spectator Divide in Kant

The question of a relation between judging and acting, seems at first sight contrary to Kant and Arendt's theories, because both make a clear distinction between actor and spectator, i.e. between the one who acts and the one who judges. These are not the same people. We have already encountered Arendt's (late) view on the issue: only the spectator can retrospectively understand the meaning of an event and the personality of the actor. But we have also encountered certain ambiguities with regard to this distinction, especially in BPF, UP, and OT, where judgment was linked to the actor as well as to the spectator. In the *Lectures on Kant's Political Philosophy* the focus is very strongly on the spectator, not least because of the very sharp distinction between actor and spectator in Kant's theory.<sup>206</sup>

In Kant the question of judgement is discussed in the context of art and beauty. Here the one who made the beautiful object and the one who judges it, are obviously not the same. However, the capacity of judgement is possessed by both: if the artist would not possess taste (i.e. the ability to judge with common sense) in addition to his creative genius, what he creates would possess no meaning for those that view and judge the work of art: for "taste is ... the faculty for judging a priori the *communicability of the feelings* that are combined with a given representation (without the mediation of a concept)."<sup>207</sup> If the artist lacks

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<sup>206</sup> One can argue that Arendt focuses on the spectator so much because she relies on Kant, or conversely, that she uses Kant because she wanted to focus on the spectator. For the former view see Beiner ("Rereading Hannah Arendt's Kant Lectures," p. 100), for the latter Wellmer (p. 169).

<sup>207</sup> *CPJ*, §40, B 161 [296].

this ability, he fails to communicate and his work of art would be meaningless.

Thus the faculty of judgement, and especially common sense is a crucial capacity for the artist as well as for the onlooker and judge. Nevertheless, the roles are distinct, and the onlooker is never in the singular, it is always a community, a plurality of onlookers.

The distinction becomes much more apparent and clear in Kant's political writings, especially in his reflections on the French Revolution. We can see here an opposition between admiration for the French Revolution, on the one hand, and a condemnation of revolutionary action, on the other.

The occurrence in question [the Revolution] does not involve any of those momentous deeds or misdeeds of men which make small in their eyes what was formerly great or make great what was formerly small ... No ... We are here concerned only with the attitude of the onlookers as it reveals itself *in public* while the drama of great political changes is taking place: for they openly express universal, yet disinterested sympathy ... And this does not merely allow us to hope for human improvement; it is already a form of improvement in itself.<sup>208</sup>

Here we can see the primacy of the spectator over the actors. Furthermore, we see that the type of judgment of the onlookers is described in similar words as aesthetic judgment: universal, disinterested, public. Lastly, we understand that the positive reaction of the spectators toward the event is related to the idea of progress, at which this event hints. Moreover, this judgment, is not tied to the success of the revolutionary movement:

The revolution ... may succeed, or it may fail. It may be so filled with misery and atrocities that no right-thinking man would ever decide to make the same experiment again at such a price, even if he could hope to carry it out successfully at the second attempt. But I maintain that this revolution has

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<sup>208</sup> Immanuel Kant, "The Contest of the Faculties", in *Political Writings*, ed. H. S. Reiss (Cambridge: Cambridge University Texts, 1970, 2012), p. 182, emphasis in the original. Cf. Arendt, *LKPP*, pp. 45ff.

aroused in the hearts and desires of all spectators who are not themselves caught up in it a *sympathy* which borders almost on enthusiasm.<sup>209</sup>

In this quote the sharp distinction between two different perspectives becomes apparent already: the revolution may be horrible and violent and actually not defensible from the point of view of the people involved, yet the spectator applauds it. Moreover, revolution is always unjust:

These rights [to a government in which the people are co-legislators], however, always remain an idea which can be fulfilled only on condition that the *means* employed to do so are compatible with morality. This limiting condition must not be overstepped by the people, who may not therefore pursue their rights by revolution, which is at all times unjust.<sup>210</sup>

And again:

'Is rebellion a rightful means for a people to use in order to overthrow the oppressive power of a so-called tyrant ...?' The rights of the people have been violated, and there can be no doubt that the tyrant would not be receiving unjust treatment if he were dethroned. Nevertheless it is in the highest degree wrong if the subjects pursue their rights in this way, and they cannot in the least complain of injustice if they are defeated in the ensuing conflict and subsequently have to endure the most severe penalties.<sup>211</sup>

Why does the spectator applaud so enthusiastically something that is so clearly wrong and condemnable from a moral point of view (and hence also from the perspective of the actor, who ought to act morally)? The spectator is concerned with an ideal (in this case the concept of right), which lies at the heart of the event.<sup>212</sup> Even if unsuccessful, the event can therefore become exemplary in later situations and it reveals the continuous progress of the human species.<sup>213</sup> The actor, on the other hand, always has a partial perspective: he is involved in

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<sup>209</sup> Ibid., emphasis in the original.

<sup>210</sup> Ibid., note p. 184, emphasis in the original.

<sup>211</sup> Kant, "Perpetual Peace," in *Political Writings*, p. 126. Cf. also ibid. p. 118.

<sup>212</sup> Cf. ibid., "The Contest of the Faculties", p. 183.

<sup>213</sup> Ibid., p. 184f.

the action and the event to such a degree that he cannot see the whole, and always remains tied to his point of view and his personal interests. Judgement requires impartiality and a certain distance from the event for reflection. Seeing the whole (which is only possible from a certain distance, i.e. only for the spectator) is so important for Kant because of the idea of progress. In order to detect progress one needs some distance. One needs a spectator in order to detect progress, but one also needs the idea of progress in order to even stand being a spectator:

It is a sight quite unfit ... even for the most ordinary, though right-thinking man, to see the human race advancing over a period of time towards virtue, and then quickly relapsing the whole way back into vice and misery. It may perhaps be moving and instructive for a while; but the curtain must eventually descend. For in the long run, it becomes a farce. And even if the actors do not tire of it – for they are fools – the spectator does, for any single act will be enough for him if he can reasonably conclude from it that the never-ending play will go on in the same way for ever [*ein ewiges Einerlei*].<sup>214</sup>

The spectator needs to believe in progress in order not to despair of the perpetual sameness (*ewige Einerlei*) of human existence. The enthusiasm with which he judges the French Revolution is based on the fact that it gives hope that this belief in progress is not fully ungrounded:

Even without the mind of a seer, I now maintain that I can predict from the aspects and signs of our times that the human race ... will henceforth progressively improve ... For a phenomenon of this kind which has taken place in human history *can never be forgotten*, since it has revealed in human nature an aptitude and power for improvement...<sup>215</sup>

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<sup>214</sup> Kant, "On the Common Saying: 'This May Be True in Theory But It Does Not Apply in Practice,'" in *Political Writings*, p. 88.

<sup>215</sup> Ibid. "The Contest of the Faculties," p. 184, emphasis in the original. Cf. "Idea for a Universal History With a Cosmopolitan Purpose" (ibid. p. 51): "this encourages the hope that, after many revolutions, with all their transforming effects, the highest purpose of nature, a universal *cosmopolitan existence*, will at last be realised as the matrix within which all the original capacities of the human race may develop."



This difference between the actor's and spectator's perspective is visible even more clearly in Kant's view on war.

Hence however much debate there may be about whether it is the statesman or the general who deserves the greater respect in comparison to the other, aesthetic judgment decides in favor of the latter. Even war, if it is conducted with order and reverence for the rights of civilians, has something sublime about it, and at the same time makes the mentality of the people who conduct it in this way all the more sublime, the more dangers it has been exposed to and before which it has been able to assert its courage; whereas a long peace causes the spirit of mere commerce to predominate, along with base selfishness, cowardice and weakness, and usually debases the mentality of the populace.<sup>216</sup>

The reason for judging in favor of war is again rooted in the idea of progress:

War ... is a deeply hidden but perhaps intentional effort of supreme wisdom if not to establish then at least to prepare the way for the lawfulness together with the freedom of the states and by means of that the unity of a morally grounded system of them, and which, in spite of the most horrible tribulations which it inflicts upon the human race, is nevertheless one more incentive ... for developing to their highest degree all the talents that serve for culture.<sup>217</sup>

The ironic title of Kant's essay "Perpetual Peace," an inscription, which "a Dutch innkeeper once put ... on his signboard" and which refers to a graveyard, hints in the same direction: Peace means stagnancy, analogous to death, while war enhances progress. That is why the spectator's aesthetic judgment approves of war. From the moral perspective of the actor, however, things are totally different: "Reason, as the highest legislative moral power, absolutely condemns war as a test of rights and sets up peace as an immediate duty."<sup>218</sup> The power of judgment, as the faculty of the feeling of pleasure and displeasure, judges aesthetically according to the principle of purposiveness and sublimity in favor of the warrior and war. Reason, however, which – as the faculty of desire and corresponding to morality – prescribes action, condemns war:

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<sup>216</sup> *CPJ*, §28, B107 [263].

<sup>217</sup> *Ibid.*, §84, B394 [433].

<sup>218</sup> Kant, "Perpetual Peace," *Political Writings*, p. 104.

Now, moral-practical reason within us pronounces the following irresistible veto: *There shall be no war*, ... Thus, it is no longer a question of whether perpetual peace is really possible or not, or whether we are not perhaps mistaken in our theoretical judgment if we assume that it is. On the contrary, we must simply act as if it could really come about (which is perhaps impossible) and turn our efforts towards realizing it ... for it is our duty to do so. ... But no attempt should be made to put it into practice overnight by revolution, i.e. by forcibly overthrowing a defective constitution which has existed in the past; for there would then be an interval of time during which the condition of right would be nullified.<sup>219</sup>

Here we can see wonderfully how each of the three mental faculties in Kant's philosophy (i.e. understanding, reason, and the power of judgment) has a different function and a different perspective on the question of war and peace: While according to our cognitive faculty (understanding) we cannot decide whether or not perpetual peace is even possible, our moral faculty (reason) commands that we act as if it was an attainable goal. Our aesthetic and teleological faculty (the power of judgment), however, decides aesthetically for revolution and war (which reason condemns) because it "has something sublime about it" and it furthers personal and cultural (as well as moral) development and progress. The moral judgment corresponds to the perspective of the actor, while the aesthetic judgment corresponds to that of the spectator. Arendt summarizes these conflicting perspectives and conclusions as follows:

These maxims for action do not nullify the aesthetic and reflective judgment. In other words: Even though Kant would always have acted for peace, he knew and kept in mind his judgment. Had he acted on the knowledge he had gained as a spectator, he would, in his own mind, have been a criminal. Had he forgotten, because of his "moral duty," his insights as a spectator, he would have become what so many good men, involved and engaged in public affairs, tend to be – an idealistic fool.<sup>220</sup>

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<sup>219</sup> Ibid, "The Metaphysics of Morals," pp. 174f.

<sup>220</sup> LKPP, p. 54.

In other words, despite the different perspectives do not and should not nullify each other, there is nevertheless a strict division between them: Insofar as one is acting, one has to follow the moral command of reason and disregard (though not forget) the aesthetic judgment. Insofar as one is judging aesthetically as a spectator one cannot act on the principle of one's (aesthetic) deliberation.

### Hints at Reconciliation

#### Prospective Judgment of the Actor

#### The Original Compact

Arendt takes over this division between actor and spectator, albeit with some small differences. Most importantly, she finds in Kant's writings a way in which the perspectives of actor and spectator are linked and come together after all. This is in an *ursprünglicher Vertrag* (original compact),<sup>221</sup> which guarantees communicability. According to Arendt, for Kant sociability is the human condition.<sup>222</sup> He disagrees with the classical original contract theories, which claim that social and political communities emerged due to private interests of the individuals that could best be served by entering into a community, where

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<sup>221</sup> Arendt's translation.

<sup>222</sup> *LKPP*, p. 114. This is not far from Arendt's own understanding of the human condition, which is based on "the fact that men, not Man, live on the earth and inhabit the world" (*HC*, p. 7). Cf. *LM*, I: "man exists *essentially* in the plural" (p. 185).

the community is thus the means to the end of furthering one's personal interests. For Kant (as for Arendt) living together is not a means to private ends, but is the end itself. Political and social communities exist for the sake of establishing a realm for communication: we need a public realm in order to be able to think and judge (and for Arendt also to experience and act), i.e. we need a community, a living together with others, in order to *be*, to be human. The original compact for Kant prescribes thus that we judge and act in a way that ensures general communicability. It is here that the standards for thinking and for acting become one.

Arendt finds this link in a passage in the *Critique of the Power of Judgment* on the empirical interest in the beautiful, a passage that is not at all central for Kant's overall argument, as he himself says immediately after the passage that Arendt quotes: "this interest ... is of no importance for us here."<sup>223</sup> This is so because for Kant this empirical interest based on an "inclination to society"<sup>224</sup> cannot provide the link between the two perspectives, which for him are moral (i.e. the actor's) and aesthetic (i.e. the spectator's) judgment. This link needs to be established by a priori principles and not merely empirically. That's why Kant immediately turns away from the discussion of an empirical (social) interest to the intellectual interest, which is experienced by people in solitude and "without any intention of wanting to communicate,"<sup>225</sup> and which alone can establish the link between aesthetic judgment and morality, for "this

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<sup>223</sup>CPJ, §41, B164 [297].

<sup>224</sup> Ibid.

<sup>225</sup> Ibid., §42, B166 [299].

[intellectual] interest [of reason in the beautiful] is moral [*ist der Verwandtschaft nach moralisch*].”<sup>226</sup> It is, therefore, questionable to what extent Arendt’s reading is faithful to Kant’s theory and intentions. But since we are mainly interested in Arendt’s own theory, this question can, for the present purpose, be disregarded. In fact, it makes Arendt’s interpretation all the more interesting, because it shows that she really wanted to establish this link, even if the textual basis in Kant is not very rich with possibilities for such an undertaking.

Arendt quotes a line from Kant’s discussion of the empirical interest in the beautiful that reads as follows: “each expects and requires of everyone else a regard to universal communicability, as if from an original contract dictated by humanity itself.”<sup>227</sup> This is the only mention of this original contract (Arendt translates it as original compact) in this context. Arendt then reads the following into this passage:

This compact, according to Kant, would be a mere idea, regulating not just our reflections on these matters but actually inspiring our actions. It is by virtue of this *idea of mankind*, present in every single man, that men are human, and they can be called civilized or humane to the extent that this idea becomes the principle not only of their judgments but of their actions. *It is at this point that actor and spectator become united; the maxim of the actor and the maxim, the “standard,” according to which the spectator judges the spectacle of the world become one.*<sup>228</sup>

This is the famous passage, cited by Bernstein and Yar at the end of their essays as a perplexity. In order to make her point that this original compact really unifies the principles for action and judgment, Arendt turns to Kant’s political

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<sup>226</sup> Ibid., B169 [300].

<sup>227</sup> Ibid., §41, B163 [297], cf. LKPP, p. 74.

<sup>228</sup> LKPP, pp. 74f, emphasis added.

writings once more (which can be considered to be more concerned with acting) and cites the sixth preliminary article (“No state at war with another shall permit such acts of hostility as would make mutual confidence impossible during a future time of peace.”<sup>229</sup>) and the third definitive article (concerned with the universal right of hospitality) of “Perpetual Peace.” These, she argues, are based on the same idea of an original compact to ensure universal communicability. And

In the last analysis, one is a member of a world community by the sheer fact of being human; this is one’s “cosmopolitan existence.” *When one judges and when one acts* in political matters, one is supposed to take one’s bearings from the idea, not the actuality, of being a world citizen and, therefore, also a *Weltbetrachter*, a world spectator.<sup>230</sup>

This idea of mankind, of cosmopolitanism, bridges the perspectives of actor and spectator, because sociability is the human condition (for Kant according to Arendt). We need to communicate in order to think, judge, feel, experience, act, i.e. in order to be. That is why (presumably) humans started to live together and form communities, not out of self-interest. It is because we are social beings that we need to act in such a way that living together remains possible. And the bigger, the more universal the community that we can take into account in our judgments the better, hence the idea of mankind and world citizenship. The principles for acting and judging become one in the attempt to facilitate the possibility of a world community (as a regulative idea)<sup>231</sup>, which we can take into account in our judgments, amongst which we can act, and which ensures

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<sup>229</sup> Kant, *Political Writings*, p. 96; Arendt, *LKPP*, p. 75.

<sup>230</sup> *LKPP*, pp. 75f, emphasis added.

<sup>231</sup> Already Kant was doubtful whether such a world community is possible, and so, surely, was Arendt: she says we must take our bearings *from the idea, not the actuality*, of being a world citizen.

general communicability. This has an implication for the judgment of the actor as well as of the spectator.

Firstly, it becomes apparent also that judgement must always accompany action (if action should follow the maxim of the original compact to ensure universal communicability), because it is taste (by transcending private idiosyncrasies through an enlarged mentality) that judges according to communicability. In other words, if I need to know how to act in accordance with the original compact, I need to rely on my judgment of taste, through which I can transcend my private perspective.

Secondly, if the principle of judgment is based on the idea of (the possibility) of world citizenship and ensuring universal communicability, it becomes apparent that the judgment of the spectator cannot be merely backward-oriented, but must at least in some way be aiming at the future too. Arendt supplies a possible way for understanding this: "In Kant, the story's or event's importance lies precisely not at its end, but in its opening up new horizons for the future. It is the *hope* it contained for future generations that made the French Revolution such an important event."<sup>232</sup>

And the hope is seen and judged by the spectator – hence the importance of the spectator over the actor in Kant. For the spectator can entertain "the hope that, after many revolutions, with all their transforming effects, the highest purpose of nature, a universal cosmopolitan existence, will at last be realised as

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<sup>232</sup>LKPP, p. 56, emphasis added.

the matrix within which all the original capacities of the human race may develop.”<sup>233</sup>

The spectator’s judgment may be based on the idea of hope, and thus be oriented to the future.<sup>234</sup> And the actor needs judgment in order to decide on the course of action according to the original compact. Thus we see two types of judgment entailed in this link: the retrospective but nevertheless partly future-oriented, hopeful judgment of the spectator and the prospective judgment of the actor prior to action

#### Genius and Taste: The Need to Anticipate Judgment

We have seen that the original compact unites the principles of acting and judging because the spectator has to judge and the actor to act in such a way as ensures universal communicability. And since it is taste and common sense that allow us to judge according to communicability, the original compact implies and presupposes that the actor has and uses the faculty of judgment as well as the spectator. This claim is strengthened by an analysis of the relation between genius and taste.

According to Kant, the artist needs genius *and* taste, while the observer and judge of artworks and beauty needs taste only. It is a mistake to think that the artist needs only genius and no taste and judgment:

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<sup>233</sup> Kant, “Idea for a Universal History,” in *Political Writings*, p. 51, cf. Arendt, *LKPP*, pp. 46f.

<sup>234</sup> On the relation of judgment with hope, see Beiner, “Judging in a World of Appearances,” pp. 374, 382: “Political judgment provides men with a sense of hope by which to sustain them in action when confronted with tragic barriers.”



To be rich and original in ideas [i.e. possessing genius] is not as necessary for the sake of beauty as is the suitability of the imagination in its freedom to the lawfulness of the understanding [i.e. the power of judgment]. For all the richness of the former produces, in its lawless freedom, nothing but nonsense; the power of judgment, however, is the faculty for bringing it in line with the understanding.

Taste, like the power of judgment in general, is the discipline (or corrective) of genius, clipping its wings and making it well behaved or polished; but at the same time it gives genius guidance as to where and how far it should extend itself if it is to remain purposive; and by introducing clarity and order into the abundance of thoughts it makes the ideas tenable, *capable of an enduring and universal approval*, of enjoying a posterity among others and in an ever progressing culture.<sup>235</sup>

In other words, the artist importantly needs the power of judgment as well. He needs it in order to make his ideas tenable and thereby to make approval of others possible. He has to ensure communicability and thus anticipate the judgment of the art-lovers and observers. To put it in Arendt's words:

The condition *sine qua non* for the existence of beautiful objects is communicability; the judgment of the spectator creates the space without which no such objects could appear at all. The public realm is constituted by the critics and the spectators, not by the actor or the makers. *And this critic and spectator sits in every actor and fabricator; without this critical, judging faculty the doer or maker would be so isolated from the spectator that he would not even be perceived.* Or, to put it another way, still in Kantian terms: the very originality of the artist (or the very novelty of the actor) depends on his making himself understood by those who are not artists (or actors). ... Spectators exist only in the plural. The spectator ... does not share the faculty of genius, originality, with the maker or the faculty of novelty with the actor; *the faculty they have in common is the faculty of judgment.*<sup>236</sup>

Here she clearly says that the faculty of judgment is a faculty of the spectator as well as of the actor. And she also clearly explains why. The actor needs the faculty of judgment, in order to anticipate the judgments of the spectators, in order to ensure communicability (cf. the original compact!) and in order to even be perceived, and, as Kant says, in order to be "capable of an enduring and

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<sup>235</sup>*CPJ*, §50, B202 [319], emphasis added.

<sup>236</sup>*LKPP*, p. 63.

universal approval". In *Observations on the Beautiful and the Sublime*, Kant makes the same claim with regard to the actor (not the artist) in very clear words:

For since each one pursues actions on the great stage according to his dominating inclinations, he is moved at the same time by a secret impulse to take a standpoint outside himself in thought, in order *to judge the outward propriety of his behaviour as it seems in the eyes of the onlooker*.<sup>237</sup>

Beiner concludes from this that "Arendt argues in support of Kant that the actors in a political drama have only a partial view ... and that therefore the 'meaning of the whole' is available only to the spectator." However, this is absolutely not what Kant and Arendt argue in the passages cited above. Here they argue clearly, that judgment is a necessary and important faculty for the actor too. And as to the partiality, Kant says, the actor can "take a standpoint outside himself in thought" in order to judge, and this is surely also what Arendt means, when she says that "a spectator sits in every actor". Beiner goes on to quote Kant saying "for the actors are fools" and explains that this is so "since, as Arendt explains, they see only a part of the action, whereas the spectator views the whole." Yet, Arendt quotes the very same passage of Kant, and then adds in brackets immediately after the sentence that actors are fools the question: "Are all actors fools?"<sup>238</sup> This shows that she doesn't consider this proposition to be self-evident. I am not challenging here that Arendt, like Kant, in her Kant lectures ascribes priority to the spectators over the actors. I am merely challenging the claim that therefore the actors do not possess the faculty of judgment, and that they therefore are automatically fools – this would

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<sup>237</sup> Quoted in Beiner, "Judging in a World of Appearances," p. 372, emphasis added.

<sup>238</sup> *LKPP*, p. 51.

actually go against the grain of Arendt's theoretical work if we consider how she praises action in *The Human Condition* and big part of her work.

If we go a step further, we could say that actors need judgment not only to anticipate the views of the spectators, but also those of the fellow actors: if we conceive of acting a *ἄρχειν* and *πραττεῖν* as Arendt defines it, then we could easily perceive the importance of judgment for the one who begins a new action, because communicability and the possibility of broad approval is also important in light of the other actors who are needed "to carry an action through." Their viewpoints would have to be included in the deliberation of the faculty of judgment from the beginning on. There are no passages that prove or disprove this last interpretation, but I think that the argument is not very far fetched in light of the passages cited above. In any case, the discussion of genius and taste, clearly shows that for both Kant and Arendt, the actor as well as the spectator possesses the faculty of judgment and it is vital for the success of his/her undertaking that s/he makes use of it.<sup>239</sup>

### Principles, Not Interests

Another way, in which judging and acting can be understood to be, if not definitely related, at least not in contradiction, is by remembering what actions

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<sup>239</sup> Anthony Cascardi (in "Communication and Transformation" in *Hannah Arendt and the Meaning of Politics*, ed. Calhoun & Mc Gowan, pp. 99-131) discusses the tension between the creativity of genius and the claims of taste in depth. He argues this is a tension between genesis and normativity, i.e. between the transformative (sublime) energies of revolution and the normativity of political life. He argues that it is important to preserve something of this tension, because both sides are important for understanding politics (which after all consist of both, founding and the workings of an established system).

are based on in Arendt's theory. It is frequently said<sup>240</sup> that action cannot be based on judgment, since judgment is by definition disinterested and transcending personal interests, whereas political action is by definition based on such personal interests. However, this is not Arendt's definition of action. For her, Action has nothing to do with personal interests, motives, and instrumental calculations in terms of means and ends: "Action, to be free, must be free from motive on one side, from its intended goal as a predictable effect on the other."<sup>241</sup> Rather, action is based on principles and realizing principles:

Action, insofar as it is free ... springs from something altogether different which ... I shall call a principle. Principles do not operate from within the self as motives do ... but inspire, as it were, from without. ... the inspiring principle becomes fully manifest only in the performing act itself. ... Such principles are honor or glory, love of equality, which Montesquieu called virtue, or distinction or excellence ..., but also fear or distrust or hatred.<sup>242</sup>

Beiner quotes Ari Willner from the Jewish Combat Group in the Warsaw Ghetto resistance as saying: "Not one of us will leave here alive. We are fighting not to save our lives but for human dignity."<sup>243</sup> In this statement we see that the action was not based on personal interests, but on a universal principle – and does not making such a statement, i.e. reaching such an opinion, such a decision, presuppose the faculty of judgment? Isn't this an example of a judgment of an actor? Aren't principles a matter of judgment?

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<sup>240</sup> Cf. e.g. Yar, pp. 17, 21; or d'Entreves, p. 115.

<sup>241</sup> *BPF*, p. 150. Cf. Villa, "Thinking and Judging" (esp. pp. 91ff.) for a good discussion of why it is important to distinguish action from instrumentality.

<sup>242</sup> *BPF*, pp. 150f.

<sup>243</sup> Beiner, "Judging in a World of Appearances," p. 374.

Benhabib<sup>244</sup> goes in a similar direction when she develops a kind of virtue ethics out of Arendt's theory of judgment. She argues that it is judgment (as described by Arendt) that evaluates the situation, decides upon the action as the particular expression or realization of a moral principle or maxim, and assesses these maxims as embodied, expressed or revealed in actions. In other words, reflective (moral) judgment precedes moral action. Of course, Benhabib transcends Arendt's own theory here: she thinks "with Arendt against Arendt"<sup>245</sup> because Arendt herself never developed a proper ethics out of her theory of judgment. My claim, however, concerns not only ethics, but political action broadly construed (moral, immoral, amoral).

Even if we maintain that action is not *necessarily* based on judgments, at the very least this understanding of action as based on principles and not on private interests, goals, and motives shows that there is no necessary contradiction between judging and acting: there is at least a *possibility* that judgments may lie at the heart of actions.

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<sup>244</sup> Benhabib, esp. pp. 189-191.

<sup>245</sup> Ibid., p. 185.

## Eichmann and the Question of Evil

Another aspect of Arendt's work that seems to imply that actors judge prior to action is to be found in the book on Eichmann. Here Arendt accuses Eichmann of not being able to think and judge, i.e. to take into account the standpoints of others: "Bragging is a common vice, and a more specific, and also more decisive, flaw in Eichmann's character was his almost total inability to look at anything from the other fellow's point of view."<sup>246</sup> And "what he said was always the same, expressed in the same words. The longer one listened to him, the more obvious it became that his inability to speak was closely connected with an inability to think, namely to think from the standpoint of somebody else."<sup>247</sup> To clarify, she writes:

He was not stupid. It was sheer thoughtlessness – something by no means identical with stupidity – that predisposed him to become one of the greatest criminals of that period. ... That such remoteness from reality and such thoughtlessness can wreak more havoc than all the evil instincts taken together which, perhaps, are inherent in man – that was, in fact, the lesson one could learn in Jerusalem.<sup>248</sup>

This is the infamous banality of evil: that it arises out of thoughtlessness and not from any diabolical or demonic motives and character traits.<sup>249</sup> Despite the fact

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<sup>246</sup> Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil* (New York: Viking Press, 1963), pp. 47f.

<sup>247</sup> *Ibid.*, p. 49.

<sup>248</sup> *Ibid.*, p. 287f.

<sup>249</sup> For a discussion of the banality of evil and radical evil, see Richard Bernstein, "Did Hannah Arendt Change Her Mind: From Radical Evil to the Banality of Evil" in *Hannah Arendt. Twenty Years Later*, ed. L. May and J. Kohn (Cambridge: MIT Press, 1997), pp. 127-146 and "The Banality of Evil Reconsidered." Bernstein argues that Arendt did not change her mind, and that the two descriptions of evil do not contradict each other, but that merely the focus shifted for Arendt. In her works on radical evil, she tried to understand what was new about the evil of totalitarianism (i.e. she focuses on the

that in all the above quotes Arendt talks about thoughtlessness, the inability to think and the absence of thought, she describes thinking here in a way, which is clearly identical with her definition of judgment: thinking from the standpoint of others, i.e. with an enlarged mentality. Thinking, in *The Life of the Mind*, is never described in these terms. And eventually Arendt uses the concept of judging also in *Eichmann in Jerusalem*:

There remains, however, one fundamental problem, which ... touches upon one of the central moral questions of all time, namely upon the nature and function of human judgment. What we have demanded in these [postwar] trials, where the defendants had committed 'legal' crimes, is that human beings be capable of telling right from wrong even when all they have to guide them is their own judgment, which, moreover, happens to be completely at odds with what they must regard as the unanimous opinion of all those around them. ... Those few who were able to tell right from wrong went really only by their own judgments, and they did so freely; there were no rules to be abided by, under

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structural element), and her answer is superfluosness, i.e. that it makes people superfluous and thereby destroys spontaneity, freedom and plurality. In her description of the banality of evil, she focuses on the question how this evil could be committed by ordinary people (i.e. she focuses on the actor), and her answer is thoughtlessness, i.e. that evil actions cannot be traced back to evil motives, but only to thoughtlessness. Bernstein argues that Arendt never satisfactorily answers how thinking, judging and evil are connected and that there remain many problems with her theory.

Cf. also Peg Birmingham, "Holes of Oblivion: The Banality of Radical Evil" in *Hypatia*, 18, no. 1 (winter 2003), pp. 80-103, who similarly argues that Arendt did not change her mind and the idea of banality is already present in her discussion of radical evil. Further, radical banal evil is linked to superfluosness, and in light of radical evil, Arendt's theory of action appears less optimistic. Finally, natality is analysed as offering the only remedy to radical evil.

Cf. also Paul Formosa, "Is Radical Evil Banal? Is Banal Evil Radical?" in *Philosophy & Social Criticism*, 33, no. 6 (2007), pp. 717-735, who argues again, that the two conceptions of evil are compatible, but that radical evil focuses on a certain type of evil (that occurs in totalitarianism), while the banality of evil focuses on a certain type of perpetrator (Eichmann).

Cf. also Agnes Heller, "Hannah Arendt on the Vita Contemplativa" in *Philosophy & Social Criticism*, 12 (1987), pp. 281-296, who maintains a distinction between radical and banal evil, and traces how Arendt theorizes the banality of evil in regard to thinking and willing (her justifications of the concept are "completely inadequate", and her argument is "tentative" and "theoretically meagre" (p. 292)). Finally she "guesses" how Arendt would have theorized the question of the banality of evil with regard to the faculty of judgment.

For a (limited) literature review and discussion of authors supporting and refuting Arendt's theory of the banality of evil, see Rebecca Wittman, "Eichmann Revisited: The Motivations of a Mass Murderer" in *German Studies Review*, 35, no. 1 (2012), pp.135-43.

which the particular cases with which they were confronted could be subsumed. They had to decide each instance as it arose, because no rules existed for the unprecedented.<sup>250</sup>

This charge against Eichmann, that he was unable to think, implies that if he had been able to think and judge, he would have acted differently, i.e. that the absence or presence of thought and judgment has a direct impact on one's actions. And this relation between thoughtlessness and evil lies at the heart of Arendt's analysis of *The Life of the Mind*.<sup>251</sup> Of course there are structural aspects as well: there are political regimes which create an environment hostile to independent thought, while others create a situation conducive for that. In some states non-thinking will be more likely to lead to evil deeds, while in other systems non-thinking individuals will lead completely fine lives without ever doing anything evil. Thinking can prevent evil in times of crisis. In a perfect state it is not needed equally crucially. Undoubtedly there is the structural element. After all, totalitarian logics of ideology destroyed the capacity for thought. Nevertheless it is a fact that "under conditions of terror most people will comply but *some people will not*."<sup>252</sup> The fact remains, therefore, that Arendt here implies an important relation between judging and acting: for if Eichmann had been able to think, he would have acted differently.

How does Arendt theorize this link between non-thinking and evil? The problem is the following:

Non-thinking ... teaches them [people] to hold fast to whatever the prescribed rule of conduct may be at a given time in a given society. What people get used to is less the content of the rules, ... than the *possession* of rules under which to

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<sup>250</sup> Arendt, *Eichmann*, pp. 294f.

<sup>251</sup>cf. *LM*, I, pp. 3ff.

<sup>252</sup> Arendt, *Eichmann*, p. 212.



subsume particulars. If somebody appears, who, for whatever purposes, wishes to abolish the old values or virtues, he will find that easy enough, provided he offers a new code ... The more firmly men hold to the old code, the more eager will they be to assimilate themselves to the new one.<sup>253</sup>

Thus the question of evil, is of course, also always a systemic one: if the system in which we live is good, the prescribed rules morally good, non-thinking will not lead to evil deeds. Only in a state where the laws and societal rules and habits are morally disastrous will non-thinking lead to disastrous outcomes and deeds. But then there is also the individual aspect: The more a person is used to accepting prejudices and a given set of rules of conduct, the less likely this person will be to ever critically question either a new or the old set of values. This is why judging ("the by-product of the liberating effect of thinking"<sup>254</sup>) "at the rare moments when the stakes are on the table, may indeed prevent catastrophes, at least for the self."<sup>255</sup>

Yet, we have to understand that the individual is not expected to constantly critically question and judge everything. This would not even be possible, according to Arendt. First of all, public matters are not always the object of our thought. Secondly, even if they are, we do not necessarily reflect on

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<sup>253</sup>*LM*, I, p 177.

<sup>254</sup>*LM*, I, p. 193. The difference between thinking and judging in the formulation of the *LM* is that thinking deals with invisibles and generalizes, while judgment remains concerned with the world and with particulars. And judgment is the faculty that is able to tell right from wrong. However, in their relation to morality the distinction between these two mental capacities becomes a bit blurred, because it is the two in one of thinking that constitutes consciousness and thus prevents evil. Yet judgment is supposed to be the faculty responsible for differentiating between good and evil, and thinking is just preparing the ground for that because in its generalizing deliberations questions (or at least has the capacity to do so) the established standards and rules. Then the way is free for judgment to judge without any given rules or standards.

<sup>255</sup> *Ibid.*

them critically. In fact, we often need to rely on uncritical prejudices that make life easier:

Man cannot live without prejudices, and not only because no human being's intelligence or insight would suffice to form an original judgement about everything on which he is asked to pass judgement in the course of his life, but also because such a total lack of prejudice would require a superhuman alertness.<sup>256</sup>

It is impossible to be engaged in critical thought all the time. Sometimes, preliminary understanding is sufficient, sometimes we let ourselves be led by prejudices, sometimes the political system takes away our space for thought and offers us the logicity of an ideology as a substitute.

This all does not change the fact that there is a clear relation here between thinking and judging on the one hand, and evil (i.e. some kind of action) on the other. First there is the link that thinking, by critically questioning all the established (general) rules and principles and thereby dissolving them, opens the way for judgment to assess autonomously every particular situation qua particular and judge independently what is right and what is wrong. Such moral judgment then informs our actions.

Secondly, there is an intrinsic aspect in the activity of thinking itself: the fact that, according to Arendt, consciousness results in conscience as a by-product.<sup>257</sup> If one hears for the first time Arendt's description of Eichmann's thoughtlessness, one might contend that if one is not thinking it happens just as often that one is doing good as it happens that one is doing evil. And also

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<sup>256</sup>Hannah Arendt, „Introduction into Politics“ in *The Promise of Politics*, ed J. Kohn (New York: Schocken Books, 2005), p. 99; cf. pp. 151f. Cf. Amy Shuster, esp. pp. 13f.

<sup>257</sup> For an interesting analysis of this triad thinking-consciousness-evil throughout Arendt's work and the influence of Augustine and Heidegger on her thought on the matter, see Arne J. Vetlesen, "Hannah Arendt on Conscience and Evil" in *Philosophy & Social Criticism*, 27, no. 5 (2001), pp. 1-33.

conversely: if one is thinking, one can still consciously decide to do evil. Think of the famous quote of Richard III, who is “determined to prove a villain” – it is not a lack of thought, Richard has thought about it and then reached this decision. Similarly, Eichmann appeals to Kant’s categorical imperative and claims to always have had acted according to this principle.<sup>258</sup> Evil is, thus the criticism might go, not linked to non-thinking just as good is not linked to thinking.

In order to understand why Arendt insists on linking evil to non-thinking we have to understand that “if there is anything in thinking that can prevent men from doing evil, it must be some property inherent in the activity itself, regardless of its objects.”<sup>259</sup> And this property is the fact that one is never alone in thinking. We recall that thinking is a silent dialogue between me and myself, i.e. in thinking one is always two: “I am both the one who asks, and the one who answers. Thinking can become dialectical and critical because it goes through this questioning and answering process.”<sup>260</sup> The criterion of thinking is not truth or proof (through logics or evidence), “the only criterion ... is agreement, to be consistent with oneself.”<sup>261</sup> I need to keep thinking (and acting) in such a way that I can be in agreement with myself, i.e. that I don’t have to flee from myself and no longer am able to keep myself company. In order to be able to carry out the dialogue between me and myself, I need to be on friendly terms

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<sup>258</sup> For a discussion of Eichmann’s distortion of Kant in relation to Arendt’s but especially Kant’s moral theory, see Carsten B. Laustsen & Rasmus Ugilt, “Eichmann’s Kant” in *The Journal of Speculative Philosophy*, 21, no. 3 (2007), pp. 166-180.

<sup>259</sup> *LM*, I, p. 180.

<sup>260</sup> *Ibid.*, p.185.

<sup>261</sup> *Ibid.*, p. 186.

with myself. If I do something that splits up this friendship, and I am running away from myself, I am no longer able to think. This is where ethics comes in, for “it is better to suffer wrong than to do wrong, because you can remain the friend of the sufferer; who would want to be the friend of and have to live together with a murderer? Not even another murderer.”<sup>262</sup> In other words, if I do something bad, I will no longer be able to bear my own company and hence I will be unable to think.

This is how, for Arendt, non-thinking and evil-doing are connected. She says that “most evil is done by people who never made up their minds to be or do either good or evil.”<sup>263</sup> In this sense non-thinking can be the source of evil-doing, because there is no me that could take care of myself and object, and whose company I do not want to poison. If I do not know how to think, I will not mind contradicting myself. The criterion of agreement with myself does not exist.<sup>264</sup>

In those other cases where people consciously *decide* to be evil, they lose their capacity to think. Non-thinking (if it does not *produce* evil-doing) thus surely *accompanies* evil-doing. But even in these cases, the consideration that leads to saying “I am determined to prove a villain”, is arguably not a real thinking process – or at least not a successful one. For the only criterion – non-contradiction – is breached: I cannot be in agreement with myself if the result will be that I am fleeing myself.

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<sup>262</sup>Ibid., p. 188.

<sup>263</sup>Ibid., p. 180.

<sup>264</sup> Cf. *ibid.*, p. 191.

Thus, "it is characteristic of 'base people' to be 'at variance with themselves' ... and of wicked man to avoid their own company."<sup>265</sup> We can see this struggle and the wish to flee from oneself in Richard III:

What do I fear? myself? there's none else by:  
Richard loves Richard; that is, I am I.  
Is there a murderer here? No. Yes, I am:  
Then fly. What, from myself? Great reason why:  
Lest I revenge. What, myself upon myself?  
Alack. I love myself. Wherefore? for any good  
That I myself have done unto myself?  
O, no! alas, I rather hate myself  
For hateful deeds committed by myself!  
I am a villain: yet I lie. I am not.  
Fool, of thyself speak well: fool, do not flatter.  
...  
I shall despair. There is no creature loves me;  
And if I die, no soul shall pity me:  
Nay, wherefore should they, since that I myself  
Find in myself no pity to myself?<sup>266</sup>

Thinking, therefore, prescribes (thanks to the two-in-one) that I act in such a way that "I shall be able to live with myself in peace when the time has come to think about my deeds and words,"<sup>267</sup> i.e. that I shall be able to come home to myself as a friend and keep engaging in the silent dialogue of thought. This is how consciousness results in conscience as its by-product.

However, there remain some problems with how exactly thinking and judging are related to evil. As Bernstein points out, Arendt asserts that judging depends on thinking, but that she never justifies the claim that thinking has this liberating effect. The problem becomes obvious if we compare her two models of thinkers par excellence: Socrates and Heidegger. In the case of Socrates

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<sup>265</sup>Ibid., p. 189.

<sup>266</sup> William Shakespeare, *King Richard III*, ed. J. R. Siemon, (London: The Arden Shakespeare, 2009), pp. 397ff. [182-203]

<sup>267</sup>LM, I, p. 191.

thinking had a liberating effect, and he indeed questioned the traditional standards, concepts and habits. In the case of Heidegger, however, the fact that he was very much used to thinking did not help him at all to critically question and judge the Nazi Regime. Secondly there is the issue that Arendt does not explain why some people are unable to think (like Eichmann), while others, under equally discouraging circumstances, retain their ability to think and judge.<sup>268</sup>

Thirdly, I might add, it is unclear why the capacity of enlarged mentality is so important for not doing evil. In *Eichmann in Jerusalem* she repeatedly emphasised his inability to view an issue from the perspective of others. Yet, the majority shared the unreflectedly accepted standards of the regime. Of course, enlarged mentality is not an issue of joining a majority rather it is crucially based on a prior judgment about whose company I choose. But this makes it all only more difficult in a situation in which almost all my contemporaries choose a different company than I do: for “what strength of character is required to stick to anything, truth or lie, that is unshared.”<sup>269</sup> Why isn’t the two-in-one of thought that produces conscience enough to prevent evil? Why do we need enlarged mentality in addition? Especially if it is such a difficult undertaking with such an insecure outcome? If I misjudge in the first instance of choosing my company, how can the outcome of my actual judgment of the situation at hand be expected to prevent evil? Furthermore, enlarged mentality is supposed to

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<sup>268</sup> Cf. Bernstein, “The Banality of Evil Reconsidered.”

<sup>269</sup> *BPF*, p 249.

help abstracting from private interests, but evil (at least the new form of evil) is supposedly not based on personal interests and motives anyways.<sup>270</sup>

Despite these remaining problems and questions, it is clear that thinking and judging are connected with acting and that they form some kind of deliberation prior to acting that influences how we act. If we return shortly to the earlier writings of Arendt, we find similar elements there: First, there is the focus on κρίνειν (*krinein*) in the *Denktagebücher*, which Arendt translates as judging *and* deciding, showing clearly that she did not distinguish fundamentally between actor and spectator here.<sup>271</sup> In other words, κρίνειν was inter alia important for deciding how to act. In *Between Past and Future*, we see similar strands of thought as well. Judgment is responsible amongst other things for “the decision what manner of action is to be taken.”<sup>272</sup>

There thus seems to be, at least some strands of thought throughout Arendt’s entire work, that allows for judgment as a faculty of the actor that helps him/her deliberate the course of action.

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<sup>270</sup> In Kant enlarged mentality can help to prevent evil, because evil in his definition is always based on private interests and hence needs secrecy: it is never conformable with a general viewpoint, it always remains at the level of personal, private advantage. That means that the source of evil is (often) the inability or refusal to judge with an enlarged mentality. Hence the importance of an enlarged mentality, for “All maxims which *stand in need* of publicity in order not to fail their end agree with politics and right combined.” (“Perpetual Peace” in *Political Writings*, p. 130, emphasis in original). But for Arendt the new type of evil of our time (radical or banal) is not based on private motives and personal advantage.

<sup>271</sup> Cf. Marshall.

<sup>272</sup> *BPF*, p. 219f.

## Judgment as Precondition for the Possibility of Action: Embracing our Freedom

In *The Life of the Mind* we find another, rather different hint on the relation of judgement and action: In the epilogue of *Willing*, Arendt explains that the significance and importance of the power of judgement lies in its relation to the question of spontaneity, natality, the ability to create something new, i.e. the question of freedom.

Arendt writes:

The very capacity for beginning is rooted in *natality*, ... in the fact that human beings, new men, again and again appear in the world by virtue of birth. I am quite aware that this argument ... seems to tell us no more than that we are *doomed* to be free by virtue of being born, no matter whether we like freedom or abhor its arbitrariness, are 'pleased' with it or prefer to escape it's awesome responsibility by electing some form of fatalism. This impasse, if such it is, cannot be opened or solved except by an appeal to another mental faculty, no less mysterious than the faculty of beginning, the faculty of judgment, an analysis of which at least may tell us what is involved in our pleasures and displeasures.<sup>273</sup>

In other words, the power of judgement decides how to experience this freedom inherent in our ability to act and in our will: whether we embrace this freedom, or reject it, whether we are 'pleased' by it or 'displeased'. Thus, judgement is vital in relation to the question how spontaneous political action arises. Because only if we embrace this freedom can we act accordingly. If we try to cover up our potential freedom by succumbing to some kind of determinism or fatalism, we will never act freely. The affirmation of freedom through our capacity of judgment is, therefore, an important basis for our capacity for action, and not

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<sup>273</sup>LM, II, p. 217, emphasis in the original. On the question of freedom in relation to judgment, see Zerilli, "We Feel our Freedom," who puts central the question of freedom and the creativity and productivity of imagination in Arendt's theory of judgment. However, she disregards the question of how these elements of judgment are important with regards to action. See Thiele, "A Reply to Zerilli" for an analysis of this last point.



just relevant for freely judging retrospectively the novelty resulting from free actions. In other words, even if judgment is not being understood as the deliberation and decision of the course of action, it nevertheless is a *precondition* of setting the basis for being able to act in the first place.

### The Political Significance of the Spectator's Retrospective Judgment

If we turn now to retrospective judgment, which is much more thoroughly analysed by Arendt, we still find that it fulfils an important role with regard to action and politics. The argument<sup>274</sup> that Arendt's "late" theory of judgment is purely philosophical and contemplative (turned away from politics) appears, therefore, exaggerated.<sup>275</sup> Bilsky<sup>276</sup> discusses three such links between acting (i.e. the political) and judging: First, natality: the actor can initiate new beginnings and the spectator (judge) has the capacity to judge the new. Secondly, plurality is the condition of both action (acting in concert) and judgment (enlarged mentality). Thirdly, narrativity: action produces stories, and judgment is used when narrating stories and thereby gives meaning. In addition, both action and judgment are located between the individual and the community as well as between the particular and the concept.

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<sup>274</sup> Cf. e.g. Beiner, "Judging in a World of Appearances."

<sup>275</sup> Many authors of secondary literature (even if they still hold fast to the argument of two theories) share this view that the "late" theory is still political. Cf. Tamniaux, Steinberger, Taylor, Bilsky.

<sup>276</sup> Bilsky, pp. 266ff. Cf. Benhabib, pp. 187f.

This is why judgment is *the* political faculty: it fulfills an important role with regard to the realm of action: judgment is concerned with the particular qua particular, it can judge the new (which is brought about by free action) without any standards, it gives meaning to an event, and it is constituted by plurality even in the thinking process (a capacity of the mind that is based only on one single individual without being dependent on plurality at all can never be adequate to politics). Hence, also the “late” theory of judgment (as retrospective meaning-giving activity) is in fact highly political and remains tied to a concern for action. Judgment is concerned with the common world (this is a crucial link between the “early” and “late” theory)<sup>277</sup>: it creates and sustains the world as a space of appearance.

### Retrospective Judgment of the Actor

In addition, to these three links showing the political relevance even of the spectator’s judgment there are some elements that blur the actor/spectator divide in case of the ex post facto judgment.<sup>278</sup> First, there is the spatial dimension: judging requires a certain distance from the object judged, but this distance is different from the one required for thinking: thinking radically withdraws from the world, while judging retires from the world only

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<sup>277</sup> Cf. e.g. *BPF*, p. 219f. (“judgment ... the judicious exchange of opinion *about the sphere of public life and the common world*”), and *LM*, I, p. 92 (the objects of judgment “are particulars with an established home in the appearing world”).

<sup>278</sup> For the first three points cf. Bilsky; for the second cf. Villa, “Thinking and Judging”, for the fourth point cf. Beiner, “Hannah Arendt on Judging”, despite he fails to duly recognize the implication for bringing actor and spectator closer together – in his view it even separates the “two theories” further.

temporarily, and always remains rooted in the world both with regard to its object and content, but also with regard to its very way of deliberating: enlarged mentality requires remaining rooted in a public realm with a plurality of judges. Therefore judging seems much closer to being a possibility for the actor qua actor than thinking.

Secondly there is the subjective element of judgment. Since judgment is based on taste, it can never reach full objectivity and universality. It always remains in the field of opinion, not truth. It transcends fully private interests, but at most it becomes inter-subjectivity. It always remains at the level of *δοκεῖ μοι*, all it can reach is a more general, more impartial (more valid) *δοκεῖ μοι*. Therefore, the difference between the involvement of the actor, and the uninvolved spectator becomes one of degree and it appears questionable, why the actor should not be able to reach a certain level of inter-subjectivity as well (especially since his/her action is not based on personal motives, but on principles).

Thirdly, there is the issue of time. There is never a stable end-point from which to judge. Therefore judgment is never purely retrospective and the judge remains within human time. Therefore, again, the difference between actor and spectator becomes one of degree: neither of them ever sees the whole, because there is no total outside, no final end-point. This is related to the fourth point, the question of meaning. Seeing the whole is not needed, according to Arendt, because judgment judges the particular qua particular and finds the meaning in the particular event, not in the whole. Hence, again, the distinction between actor and spectator is blurred: if the whole meaning lies in the event itself, why should not the actor be able to judge it as well? Arendt writes:

We were talking about the partiality of the actor, who because he is involved, never sees the meaning of the whole. This is true for all stories; Hegel is entirely right that philosophy, like the owl of Minerva, spreads its wings only when the day is over, at dusk. *The same is not true for the beautiful or for any deed in itself.* The beautiful is, in Kantian terms, an end in itself because *all its possible meaning is contained within itself*, without reference to others – without linkage, as it were, to other beautiful things.<sup>279</sup>

This paragraph implies that the claim that the actor, because of his involvement, never sees the whole is not true in the case of beauty and action. Because all possible meaning is contained in the event itself, it seems that the actor would be able to judge as well.<sup>280</sup> In a way, this quote seems to invoke a paragraph from “Understanding and Politics”:

A being whose essence is beginning may have enough of origin within himself to understand without preconceived categories and to judge without the set of customary rules which is morality. If the essence of all, and in particular of political, action is to make a new beginning, then *understanding becomes the other side of action*, namely that form of cognition, distinct from many others, by which *acting men (and not men who are engaged in contemplating some progressive or doomed course of history)* eventually can come to terms with what irrevocably happened and be reconciled with what unavoidably exists.<sup>281</sup>

Both quotes underline that judging is not about contemplating history *as a whole*. Judgment judges the particular qua particular and the meaning of an event has to be found within the event as such. By judging and finding the

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<sup>279</sup>LKPP, p. 77, emphasis added.

<sup>280</sup> The fact that the meaning of an event is contained in itself is visible in various of Arendt's texts. See, e.g. Hannah Arendt, *On Revolution* (Middlesex: Penguin Books, 1973): “What saves the act of beginning from its own arbitrariness is that it carries its own principle within itself, or, to be more precise, that beginning and principle, *principium* and principle, are not only related to each other, but are coeval. The absolute from which the beginning is to derive its own validity and which must save it, as it were, from its inherent arbitrariness is the principle which, together with it, makes its appearance in the world. The way the beginner starts whatever he intends to do lays down the law of action for those who have joined him in order to partake in the enterprise and to bring about its accomplishment. As such, the principle inspires the deeds that are to follow and remains apparent as long as the action lasts.” (p. 214). Cf. also HC: “the specific meaning of each deed can lie only in the performance itself and neither in its motivation nor its achievement” (p. 206).

<sup>281</sup>UP, p. 321f, emphasis added.

meaning of an event within itself, we redeem it and we come to terms with what happened. This is a need and necessity not only for the spectator but just as essentially for the actor himself.

The above elements (the spatial dimension of judgment, the inherent subjectivity, the issue of time, and the question of meaning) show that in retrospective judgment the distinction between actor and spectator becomes blurred and one of degree, not one of kind.

### Judgement as Action: Debate

There is one last way in which the perspectives of actor and spectator merge, that is when we conceive of judgment *as* action. Firstly, there is the argument that judgment becomes action by default. In times of crisis when no-one judges, judging, criticizing, and inaction (i.e. not going with the masses) can become an action of immense political importance.<sup>282</sup> But there is much more general argument to be made. Judgment generally can be considered to be action, if we focus on communicative action.<sup>283</sup> When debate is the essence of politics,<sup>284</sup> then persuasion, opinion, debate and speech are themselves forms of action. And all of these are based on the faculty of judgment. In this sense, judgment can be considered to be a form of action itself.<sup>285</sup> Thereby the judging spectator,

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<sup>282</sup> Cf. Dostal, p. 159

<sup>283</sup> Cf. the distinction between communicative and expressive action in Yar.

<sup>284</sup> Cf. *BPF*, p. 236f.

<sup>285</sup> Cf. Bernstein, "Judging – the Actor and the Spectator," esp. pp. 222-231. Cf. also Yar, pp. 9f.

by entering debate, becomes an actor, and it stops making sense to distinguish between actor and spectator.

## Conclusion

In this chapter I explored the various links between judgment from the perspective of the spectator and the actor that can be detected in Arendt's late work. This engagement shows that there are many different ways in which we can understand judgment and action to be connected and related. First, there is the possibility that the actor judges prior to action. S/he does so in accordance with the original compact, when s/he needs to base his/her actions on judgment in order to ensure communicability. This argument is strengthened by the analysis of genius' relation to taste which shows the need of the actor to anticipate the judgment of the spectators (and possibly also of the fellow actors). When we remember that action is based on principles and not on interests the plausibility of such an interpretation is increased because we see that prospective judgment of the actor is not contradicting the impartiality of judgment. Finally, we see a link that suggests that judgment plays a role for choosing how to act in the discussion of the question of evil (triggered by her observations on Eichmann).

Secondly, there is the possibility that (even if judgment is not directly involved in deciding how to act), it nevertheless is a precondition for making action possible in the first place. That is we need judgment in order to embrace our freedom, and this forms the basis on which we then can act and deliberate actions. Thirdly, there is the argument that the retrospective judgment of the

spectator fulfils a crucial role with regard to action. Judgment is the faculty of the mind best suited to the political realm because it is capable of dealing with the new without pre-given standards (natality), it gives meaning and redeems what happened from oblivion (narrativity), it is based on plurality, it is rooted in the world and helps to create and sustain the common world, and it may give hope.

Fourthly, there is the argument that the actor is able to judge retrospectively as well. The line between actor and spectator gets blurred because there never is a final end-point from where to see the whole, the spectator remains rooted in the world as well, hence there is no full outside, and judgment always remains at the level of opinion and inter-subjectivity. Hence the difference between the non-involvement of the spectator and the involvement of the actor becomes one of degree, not kind. And the meaning lies in the particular event itself, not in “the whole.”

Fifthly, one can interpret judgment *as* action – either by default, in times of crises, when not acting (not going with the crowd) becomes an action, but also more generally in the sense of debate and public opinion formation. In this last instance, the distinction between actor and spectator becomes fully meaningless, because there can, for example, be a public debate of how to judge a past event, and taking part in this public debate (as a spectator judging the past event) makes one a public actor. Likewise, the judge in a court is simultaneously spectator and actor.

Some of these links and connections are quite well described by Arendt herself, others are merely hinted at without an in-depth discussion in her work. Therefore, some of the hints remain stubs that cannot be fully developed to the

last implication. Nevertheless, they show that there are too many connections between the supposed two theories to be disregarded. Clearly, these issues remained relevant for Arendt, otherwise she would not have kept referring to them. Beiner wrote, that to refute the argument of the two theories of judgment “one would need to give an account of precisely why, in her last writings, judging as an activity is placed exclusively within the life of the mind, rather than being assigned a more equivocal status.”<sup>286</sup> I hope that this chapter showed that judgment even in her late work retained a “more equivocal status.” Judging, in many different ways (as retrospective or prospective judgment), remains to be of vital importance for the *vita activa* too.

Of course, instead of collecting the possible links between the “two” types of judgment, one could have also collected passages that exclude one of the types in favour of the other. There are those passages too. And I am not arguing that there is one perfect, fully coherent, harmonious, contradiction-free theory of judgment in all Arendt’s work. All I tried to show is that there are too many links and connections and too much continuity to be disregarded.

The second thing I tried to show is that there are much more than just two types of judgment. If one wishes to highlight the differences, one can enumerate various different kinds of judgment: the forward oriented judgment of the actor and the retrospective judgment of the spectator, but then there is also the retrospective judgment of the actor, and the judgment of the spectator that contains an element pointing to the future as well: hope. Then there is the judgment of the actor that projects into the future a retrospective judgment in

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<sup>286</sup>Beiner, “Judging in a World of Appearances,” note 37, p. 385.



the way of: “how will my actions have been judged?” when the actor anticipates the future retrospective judgment of the spectators. Then there is judgment as action, in which case the roles of actor and spectator become entirely undistinguishable. In many cases the line between actor and spectator become blurred. In light of this, picking out two theories of judgment, carving them in stone and juxtaposing them does not do justice to the complexity of Arendt’s theory, and moreover, does not seem to make sense either in regard to her theory, nor in regard to trying to understand political reality.

## CHAPTER IV

### CONCLUSION

In this thesis I engaged Arendt's theory in a discussion of the relation between the activities of the mind and action. *The* political faculty amongst all other mental faculties is judgment, and hence the most relevant in relation to action. I made four main arguments. Firstly, I challenged the argument that there is a shift in Arendt's theory of judgment from a future-oriented capacity of the actor in her early writings to a backward-looking faculty of the spectator in her late work. Secondly, I proposed a way of understanding the relationship between judgment and action and between prospective and retrospective judgment. I showed that we can find in Arendt many different fields of application of judgment that establish this link (i.e. prospective judgment of the actor, retrospective judgment of the spectator, retrospective judgment of the actor, future-oriented retrospective judgment of the spectator, judgment as action, judgment as a precondition for action, anticipated retrospective judgment of the actor). Thirdly, I emphasised the in-between location of judgment with regard to the level of rationality (in between subjectivity and objectivity, in between rationality and emotionality) and I explicated the relation of judgment to facts. Fourthly, I argued that this interpretation of Arendt's theory of judgment may provide a useful theoretical framework for analysing current political events: it

provides concepts that can prove helpful for trying to understand the occurrence political change, of protest movements and new beginnings for it allows to conceptualize novelty and the consciousness formation processes related to political action.

Concerning the first point, I tried to show through three interrelated arguments that the claim that there are in fact two theories of judgment in Arendt's work is problematic. In the second chapter I showed that there are significant elements of the so-called "late theory" already in those texts that are generally considered to contain Arendt's early theory (esp. in BPF). The fact that she described both theories within the same text shows that at least Arendt herself did not see a contradiction between the two perspectives. Furthermore, the fact that aspects of her "late" theory of judgment were described already in her early works (esp. HC), albeit under a different name (thinking), shows that Arendt did not fundamentally change her insights and concerns.

In other words, in her early work, Arendt was clearly aware of the (political) importance of the retrospective judgment of the spectator, but called it thinking or understanding. Arguably she was also already aware of the prospective judgment of the actor, despite far less developed (and also under the name of thinking). Then, in the texts commonly considered to contain her "early" theory of judgment (BPF), she introduces the concept of judgment as including both perspectives (actor *and* spectator) and based on both sources (Aristotle *and* Kant), apparently without leading into a contradiction in her view. Then, in the late work, she clearly distinguishes between thinking and judging and focuses mainly (but not exclusively) on the backward-oriented judgment of the spectator. But there are, in her late work, still many hints at

reconciliation of the two perspectives. There are too many such links, in fact, to be disregarded. The third chapter explored in depth these hints and connections that can be found in the late writings. To argue convincingly that there are really two separate, discrete, mutually exclusive and contradictory theories of judgment, one would have to explain how it is possible that they are so closely interwoven in Arendt's writings, and why she herself apparently did not see a contradiction between them (otherwise she would not have been able to theorize both in one and the same text, unless one wants to argue that she was unable to think consistently and was not aware of that).

The second chapter showed the existence of the "late" theory already in the "early" texts, the third chapter explored the remains of and hints at the "early" theory in Arendt's "late" writings. The fact that the "two" theories are interwoven to such an extent makes the argument of a clear shift or rupture seem implausible. One could still argue for a continuous development (which is, in a way, a matter of course: that a theoretician develops throughout his or her lifetime...) or a shift of focus<sup>287</sup> (from the actor and the possibility of active involvement and action, to the spectator and the attempt to come to terms with what happened and feel at home (again) in the world),<sup>288</sup> but not a radical

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<sup>287</sup> This shift can be conceived of as similar to the shift of focus that occurred in her theory of evil. As Bernstein and Formosa argue, the difference between radical and banal evil is not a change of theory (exchanging one for the other), but a shift of focus from the type of evil and structural elements (radical evil) to the type of perpetrator (the banality of evil).

<sup>288</sup> This shift could be explained if we follow Villa, who argues (in "Modernity, Alienation, and Critique") that in modern society (with mass culture, functionalized behaviour and world-alienation) there is no possibility for genuine action anymore, while retrospective judgment still remains a viable possibility. This could explain why focusing on retrospective judgment seemed, at the end, more important to Arendt than the focus on the actor.

exchange of one theory for another, and neither for a turn from politics to philosophy. This last claim that there is a shift from politics to philosophy underlying the two theories is, as the third chapter tried to show, the weakest. It completely disregards the vital political importance of the spectator.

As a third point, I tried to show throughout both chapters that, if one wishes to point out the differences amongst Arendt's conceptions of judgment, one would need to enumerate much more than merely two different "theories". The tracing of the concept development through Arendt's work in the second chapter showed that the concept of thinking originally included aspects of what later was to become judging as well as thinking – and in different works with different emphasises. (This too shows the importance of the life of mind for the *vita activa*). Furthermore, understanding describes judging as well. There is a slightly different focus (a slightly different "theory") in almost every text: retrospective, meaning-giving judgment (story telling) of the spectator in the HC, backward oriented, reconciling judgment of the actor in UP, hints at prospective judgment of the actor in OT, prospective, action deliberating judgment of the actor in BPF, retrospective, world-caring judgment of the spectator in BPF, judgment without standards of the spectator applied to present and past in BPF, LM and LKPP, etc.

The third chapter, by exploring the links between judgment and action, continued by showing the many different applications of judgment that are somehow inherent in Arendt's late work. I propose that we can find many different fields of applications or many types of judgment, including prospective judgment of the actor, retrospective judgment of the spectator, but also retrospective judgment of the actor, the actor's prospectively anticipating future

retrospective judgments of the spectator, and retrospective judgments of the spectator with a resonance towards the future in the form of hope. My point is that there are many different applications of judgment, none of these distinctions is clear-cut and assignable to one specific phase or text at the expense of some other conception of judgment. Neither are the famous “two” theories clear-cut, fully separable and assignable. Moreover, it seems rather random to pick out of this manifoldness two theories and to try to define and separate them as fully as possible, thereby creating a clear contradiction between them in a way that they are mutually exclusive and carve them in stone.

The above analysis shows that there are many different situations in which judgment can be employed. It also shows that Arendt’s theory is multi-layered. This can be understood as a weakness, because it makes it difficult to categorize and put concepts into clearly defined boxes. Or it can be read as a strength, because it carries the potential for describing or analysing many different kinds of situations. I plead for the latter. If judgment is really one of the central and irreducible faculties of the human mind, then it is quite obvious that it should be conceived in a broad enough way to encompass many different applications. Just like thinking is not reduced to one particular object, so too judging need not be reduced to just one possible application, but can encompass many different usages: of actor and spectator, applied to the past and to the future.

Of course, there remain many unresolved ambiguities and contradicting passages, but according to Arendt, this is quite natural in the “work of great authors,” in which they “lead into the very centre of their work and are the most

important clue to a true understanding of their problems and insights,” while they “rarely occur in second-rate writers.”<sup>289</sup> I think, therefore, that we should engage with the problems of Arendt’s theory in all its many layers but also with all its hints at reconciliation in order to truly understand what Arendt was trying to do, rather than picking out two aspects of her theory, oppose them to one another, and try to make the contradiction go away by excluding one of them for the sake of the other. I think that all these elements, the different types of judgment (or rather, the various fields of application of our faculty of judgment) contains some important aspects that may help to understand political reality.

The various links between judgment and action may help to enlighten the processes of consciousness formation prior to political action (especially interesting in regard to protest movements, revolts and revolutions). Through the concept of natality Arendt’s theory can avoid some problems that theories of hegemony are facing. Subjectivity is not pre-given, but neither is it created through mechanisms of power and hegemonic workings of society. Thanks to natality, and thanks to judgment that lets us embrace our potential for freedom, humans have the capacity for novelty. We can, therefore, conceive of the subject as political actor. Yet, the actor is never fully in control of himself (his personality is revealed to the onlookers, but not to himself) and of his actions (one can never predict the outcome of an action one started).<sup>290</sup> Furthermore,

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<sup>289</sup>BPF, p. 24

<sup>290</sup> Cf. Dana Villa, “Arendt, Nietzsche, and the ‘Aestheticization’ of Political Action” in *Arendt and Heidegger: The Fate of the Political* (Princeton: Princeton University Press, 1996), pp. 80- 109, who shows how actor and spectator are decentered in Arendt’s theory.

thanks to being located between subjectivity and objectivity, Arendt's theory of judgment offers a way of understanding the mind-set of actors (cf. Tawakkul Karman) without either supposing full insight and rational (-logical) objectivity or succumbing to fully irrational, incommunicable subjectivity. The discussion of everybody's need to rely (partly) on prejudices again avoids the trap of expecting too much critical and autonomous thought from everyone all the time and can, moreover, (together with Arendt's analysis of the significance of structural elements for encouraging thinking or non-thinking) explain situations in which the consciousness of people *is* shaped by political propaganda and hegemonic opinion dispersion through channels of society.

These elements, I think, make Arendt's theory so promising and relevant for our political reality today. Firstly, because of the fact that judgment is based on inter-subjectivity, i.e. is located in-between rationality and emotionality, in-between objectivity and subjectivity, in between compelling truth and fully private, incommunicable *sensus privatus*, i.e. that it is based on opinion and woos for consent. Secondly, because of the fact that it reveals the role of the actor as located in-between being fully determined by the social and political structure and being in full possession of insight, and in full control of the effects of his/her actions. Thirdly, because of the emphasis on plurality even within the structures of our mind as well as in our active involvement in the common world.



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