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In “Eichmann in Jerusalem. A report on the banality of Evil”, Hannah Arendt states that while most people would agree that there is no such thing as collective guilt or collective innocence, there is such a thing as political responsibility. However, she argues that this exists apart from the actions of each individual member of the group, and therefore, cannot be judged in moral terms or brought before a criminal court. In this essay I will argue that political responsibility exists closer to individual action than what Arendt believes, and that because of this, political responsibility can be judged, both morally and legally.

I will start this essay by trying to explain Arendt’s quotation, and clarifying my definitions of the terms used. I will then offer my arguments to support my points, namely, that political responsibility does not exist apart from the individual, as well as counter arguments to any potential refutations. Finally, I will end by making my conclusion, that political responsibility can be subjected to moral and even criminal prosecution.

Arendt begins the quotation by stating that there is no such thing as collective guilt or collective innocence and that if such a thing exists, no one person could ever be guilty and innocent. This to me seems like a reasonable assumption to make. Any action done by any individual could be traced back to an action done by someone else, and so on, creating an infinite regression. She then goes on to state that while collective guilt does not exist political responsibility does exist. It is here, that I feel the need to clarify the meaning of the phrase “political responsibility”. This phrase is slightly open ended, and could mean a number of different things, depending on the context. Political responsibility could be defined as the responsibility a country/group/state must bear for the actions of their political leaders. However, this could be interpreted as a form of collective guilt: a majority of the people would be responsible for the actions of a few selected individuals. Because of this, I feel that this interpretation of the term “political responsibility” would contrast with Arendt’s earlier statement, and therefore be a misrepresentation of Arendt’s ideas.

I would define the term “political responsibility” on a more macro and personal scale, that is, I can define it to mean the responsibility one has to one’s political leader. Given the context of the quotation, and Arendt’s book as a whole, I feel that this is a more accurate definition of “political responsibility”.

If we take this as Arendt's definition of political responsibility, we can then see Arendt's argument that political responsibility exists outside of individual actions, and as such, they cannot be morally and legally judged in a clearer way.

The Moral Case

One can take Arendt's quotation literally and respond by stating: 'Of course we can morally judge someone's actions, if it exists, then it can be judged.' While this is true, it also raises a number of issues. In cases of morality, the strength and legitimacy of one's judgement lies in its validity and its soundness, and the moral paradigm that one subscribes to.

In this case, we can say that in order to pass moral judgement, one must do so on reasonable grounds. Here Arendt states that because "political responsibility" exists outside of individual action, one cannot be held morally responsible for the actions one does in name of political responsibility.

Here, I would like to use the case of Adolf Eichmann as an example as to why "political responsibility" may be more related to individual actions than one might think. Arendt's concept of "the banality of evil" was based on Eichmann's trial, and due to the characteristics of this concept, I feel as though this case would provide a good representation of my argument and other cases relating to political responsibility.

Eichmann lived during Germany's Third Reich, where he worked as a logistics officer, in charge of taking care of the trains sending the Jews to concentration camps. After the war, he fled to South America, where he lived a normal albeit secret life. He was later captured by Israeli secret service, and sent back to Israel, where he was put on trial and executed.

One of Eichmann's argument was that like everybody else, he was merely doing his job to the best of his ability. He was in charge of making sure the trains were functioning and efficient, the things he was transporting did not matter to him, he was just following the commands of his superiors in the Nazi party.

According to Arendt, this fact would assuage some of Eichmann's guilt and moral wrongdoing. He had no control over his superiors; no personal connection to the orders to exterminate the Jews, all he had was his political responsibility that he must carry out. The problem with this argument is that while political responsibility exists outside of the control of individual members, the actions that one performs are entirely under the control of said individual members. Eichmann made a conscious choice to join the Nazi party and one can argue that in doing so, he brings his political responsibility closer to his person.

To elaborate, if an individual was subjected to a set of political responsibilities against his will, then the political responsibility of that person would exist separate from that individual. They did not consent to such responsibilities being imposed on them, and as such, they have no choice but to carry out their duty. In the case of Eichmann, his political responsibility was not forcibly imposed upon him. By deciding to join the Nazi party, one might even say that Eichmann is pulling himself closer to his political responsibility. Furthermore, every action that he made in response to his political responsibility was done as a conscious decision, and as such, one can argue that this provides valid grounds for judgement.

An even clearer case of Eichmann's role in his actions is his justification. During the trial, Eichmann claimed that he followed Kant's categorical imperative. He had to follow his political responsibility he claimed, to not do so would be morally wrong. This showed that not only did Eichmann have a set of moral values, he chose to deliberately twist and bend them to serve his own need.

However, one could argue that while Eichmann made the decision to pull himself closer to his political responsibility, most people will not have the liberty of being able to choose, therefore, one could echo Eichmann's argument, that what he did was the morally correct thing to do. One can even argue from a utilitarian point of view, that for an individual to go against his political responsibility, he would be causing more suffering.

In Eichmann's case, if he had refused to act out his political responsibility, he would have suffered as a result, the extermination of the Jews would have carried on, and because of Germany's political landscape, no harmful precedent would have been set.

I would like to respond to this with the argument that the ability to choose one's political responsibility is more widespread than one might think. People would always have to choose between following their political responsibility and not following their political responsibility. In an example that has happened recently, the Russian soldiers that were sent to invade Ukraine were given a choice; the ability to return home was always present, they just chose not to act on it. Given two choices, one always has the ability to suffer rather than do what is unjust. Because of this, any action that was done because of political responsibility must have been done out of free will, and as such is close to the individual's action.

The Legal Case

Much like the argument for moral judgement, the argument for legal judgement is based of the same premise, because political responsibility exists so far from an individual, that individual could not be legally judged. However, as I have argued above, political responsibility must exist in tandem with one's consent, and as such, an individual should be subjected to legal scrutiny and judgement. Because of this, I would like to use this section to present a quick argument in favor of an international court of law.

A key point Eichmann's trial was that his extraction from South America occurred illegally, and because of this, the legitimacy of his trial became a point of debate. As in the case of Eichmann, most cases of political responsibility that would require scrutiny and judgment would have occurred in a closed environment, that is, a country or a group of people. One could argue that legally, Eichmann did nothing wrong, the prosecution of Jews was an accepted and even encouraged event in Nazi Germany. Such cases would make it so that any action that was done in the name of political responsibility would be legal by that country's/group's own court.

However, I would argue that in cases such as Eichmann's, protection from the law's of one's own country is an invalid form of defense. A country would still have to be subjected to an international tribunal, one can even call it their political responsibility. Once subjected to an international court, an individual of that country would be subjected to the laws that existed outside of that individual's country. Because of this, an individual acting out their political responsibility would be brought before a criminal and subjected to the international laws that their country agreed to follow.

Such facts would give validity to an international court, even in cases such as Eichmann's. It would be a country's political responsibility to adhere by the international laws, and as such this could prove to be a good alternative to Arendt's argument.

Conclusion

In this essay, I have responded to Hannah Arendt's idea that political responsibility cannot be judged both morally and legally. I did this by identifying Arendt's idea of political responsibility and the reason it cannot be judged. I then offered by arguments against this idea, by using the trial of Adolf Eichmann to show that political responsibility exists close to and individual's actions, and that because of can in fact be judged. I then ended my essay by giving a short argument as to why in cases such as Eichmann's, the ability to be judged by and international court serves as a good counter to the defense of political responsibility.