Some Are Guilty, All Are Responsible': A Theory and Ethics of Prophetic Citizenship

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Abstract

‘Some Are Guilty, All Are Responsible’: A Theory and Ethics of Prophetic Citizenship
Alex S. Ozar
2022

When it comes to injustices in free societies, Abraham Joshua Heschel says, “some are guilty, but all are responsible.” This dissertation asks what responsibility individuals in fact bear for societal injustices of which they are not guilty, and offers a construction of the prophetic vocation as the answer. We are each responsible for caring about (those suffering under) injustice, and we are each responsible for holding each other responsible for so caring. We effectively address demands to others to care by manifestly caring ourselves, which turns out to require the assumption of some measure of cost, risk, or sacrifice in pursuit of redress for the injustice.

The introduction motivates, as against certain common cynicisms, the position that societal injustice is a proper object of moral activity, and proceeds with various methodological clarifications, especially as regards the concept of prophecy. Chapter 1 situates the project in the context of contemporary moral and political theory, showing that “prophetic normativity” as I define it responds to outstanding, parallel desiderata in both fields. Chapter 2 asks what modes of reasoned dialogue are called for in response to the problem of moral indifference and elaborates a model of expressive interpersonal action in response. The underlying mechanics of this model are shown to be identical in salient regards to those underlying Heschel’s model of prophetic action. Chapter 3 looks at the work of Joseph Soloveitchik, both to further develop certain aspects of my prophetic model and to show that the robustly theological category of the prophetic is a moral one as well and so available to moral agents as such. Chapter 4 looks at Arendt's
indictment of Eichmann for what is, on my interpretation, a failure to act prophetically. Arendt is shown to offer a powerful case for the power of “mere words” to combat mass-societal evil, and further expands and clarifies the model of the prophetic by articulating the expressive power of mere refusal to participate in structures of evil. The fact that Heschel, Soloveitchik, and Arendt – three thinkers sharing a common historical horizon but differing profoundly in their intellectual and spiritual commitments – converge on the same cluster of ideas is marshalled as evidence both of those ideas’ cogency and of their availability to theists and non-theists alike. Chapter 5 asks whether a prophetic ethic is compatible with liberal-democratic norms, the question being whether prophetic persuasion can be performed in a manner exhibiting appropriate civic respect for the rational autonomy of others. I show that liberal-democratic norms ought to constrain the practice of prophecy in important ways, but that these constraints are in any case necessary for the legibility of true prophecy as true, rather than false, prophecy. And I show that Rawls' category of "witnessing" effectively maps on to my model of prophecy. To fulfill one’s vocation as a liberal-democratic citizen, I show, is to fulfill one’s vocation as a prophet, and vice versa.
‘Some Are Guilty, All Are Responsible’: A Theory and Ethics of Prophetic Citizenship

A Dissertation
Presented to the Faculty of the Graduate School
Of
Yale University
In Candidacy for the Degree of
Doctor of Philosophy

By
Alex S. Ozar

Dissertation Directors: Paul Franks, John Hare

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For my beloved grandparents, Alex Sonnenwirth ז"ל, Rosaline Sonnenwirth ז"ל, Milton Ozar ז"ל, and שלמה ז"ל, Marilyn Ozar. From all of them I have learned the inseparable imperatives of wisdom and love. I hope to live up to, and in any case follow, their extraordinary examples.
Table of Contents

Acknowledgments.................................................................................................................. V
Introduction.................................................................................................................................1
Chapter 1.................................................................................................................................21
Chapter 2.................................................................................................................................60
Chapter 3.................................................................................................................................98
Chapter 4.................................................................................................................................142
Chapter 5.................................................................................................................................239
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Introduction:

I take as axiomatic that all societies are less just than they could and ought to be. Now, to ask what could make a society more just is ambiguous between asking (1) what states of affairs would constitute a society more just than at present, and asking (2) by what means and through which agencies those states of affairs could and ought to be realized. This work concerns primarily the latter question, asking how it is that we can and ought to bring about a more just society. I argue that we can do this through prophetic political action, and I argue that prophetic political action in the service of societal justice is a responsibility held by every individual person. When it comes to injustices in free societies, Abraham Joshua Heschel says, “some are guilty, but all are responsible.” That responsibility, I argue, is first and foremost to seek the redress of those injustices through the work of prophetic political action. Understanding what that means, what makes it true, and what it means for us as individual moral agents are the interconnectedly central burdens of this project.

The call to prophetic action is not the only normative charge addressed to individual persons in light of societal injustice. Where, for instance, a particular injustice can be causally traced to the conduct of a particular person, that person may have a duty to provide appropriate compensation and redress to the injured parties. If I break your windshield without cause, I may have a duty, both legal and moral, to pay you for your windshield. Similarly if I, the private owner and CEO of a financial institution, initiate a fraudulently-predatory lending program resulting in mass home-foreclosures in vulnerable communities. I may have a duty to both remunerate the individuals affected
for their loss as well as a duty to see to it, within the limits of my power, that the program is terminated. Similarly too if I, the chief executive of the United States, issue an order requiring border agents to separate asylum-seeking children from their parents without due cause. In doing so I may incur duties to reunite the children with their parents, to provide the affected families with some or another manner of compensation, and to see to it that the order is reversed. Should I fail on any of these counts, I would then be guilty of a violation of duty. There are, however, societal injustices which are not causally traceable to the conduct of any individual person; that is, there are injustices for which it is not the case that there is some person such that had that person’s conduct been different in some specifiable way the injustice would not have obtained. Further, there are societal injustices which are attributable to the conduct of individual persons, but where those persons, on account of lacking the necessary means, of being long dead, or of some other mitigating condition, are not themselves capable of providing adequate redress. And critically, even where there are individual persons liable for a given injustice, and even where those individuals are capable of providing adequate redress, it is sometimes the case that they fail to do so, and so the injustice persists. In these cases, either all or all but a select few of the society-in-question’s individual persons will find themselves in a society featuring an injustice of which they are not the author. It is such persons under such conditions who I argue bear distinctively prophetic responsibilities. We are all such persons under such conditions.

Deep cynicism as to the possibility of progress in pursuit of societal justice is pervasive; still deeper and more widespread is cynicism as to the possibility of individual persons contributing to such progress. In preliminary response to these cynicisms, I offer
in the first place the observation that, at least in the context of liberal-democratic
societies, most societal injustices could be redressed in short order were a sufficient
number of that society’s individual persons to care sufficiently that they be redressed.
Were, for instance, enough citizens of the United States to care sufficiently that millions
of persons, a disproportionate number of whom are persons of color, are deprived of their
right to vote on account of felony convictions for minor drug offenses, those rights could
in principle be restored in a legislative instant. I do not dispute that this is unlikely to
come to pass. I further do not dispute the analyses showing the structures of power in
contemporary democracies, not least the United States, to be disturbingly and
increasingly unresponsive to the concerns and interests of the citizenry at large.¹ This
predicament, and the mechanisms of power at play therein, are in fact critical
presuppositions of my account: It simply does not follow from the fact that an outcome is
powerfully resisted that the outcome is impossible, and indeed, the ruthless relentlessness
of the resistance may in itself betray the fundamental insecurity of its own position. It is a
fact of the first importance that even the most flagrantly corrupt democratic leaders will
perform every manner of verbal and procedural gymnastics to evade public
accountability for their dealings, but will not, as would require far less effort and capital,
simply state outright that they are engaged in raw, crudely self-interested assertions of
power. The conduct of contemporary democratic leaders, in other words, is as a matter of
readily observable fact powerfully conditioned by those leaders’ accountability to the
citizens they are elected to serve. It is in itself reasonable to suppose, furthermore, that
this conditioning can in principle be effectively leveraged toward the cause of greater

¹ For a classic statement of this worry, see Sheldon Wolin, Democracy Incorporated, (Princeton: Princeton
societal justice, and history provides further support for this supposition. While its successes remain woefully partial, opposition on the part of concerned individuals and associations has, against the resistance of powerful industrial interests, helped to substantially diminish the institutions of slavery, as well as practices like genital mutilation, foot-binding, and dueling in the United States and worldwide. A similar story, resulting in similarly meaningful if partial success, is often told of the civil rights movement in the 1960’s.

To take a more recent example: Faced with intense public backlash, the Trump administration first sustained its 2018 “zero-tolerance” policy of separating asylum-seeking children from their parents by offering a flurry of deflections, arguing alternatively that there was no such policy; that the policy was the Obama administration’s; that the policy was mandated by law; that it could not be reversed by executive order; that it was in no way intended as a deterrent to migration; that it was necessary as a deterrent to migration; and so on. Deficient as it may have been, the scattershot flailing itself makes clear that neither responding to the charges candidly nor refusing to respond at all were felt to be viable options – the weakness of the account(s) offered in the administration’s defense accentuates the taking-for-granted of, even as it seeks to frustrate, the structure of accountability in force. Later, as public pressure continued to mount, these deflections proved inadequate to the task, and the president signed an executive order substantially limiting the practice. This corroborates the

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supposition that the concatenated concerns of individual persons can in contemporary
democracies exert real-world power against injustice.

Tommie Shelby writes that “Even if we cannot make a positive contribution to
social reform... we should at least care about injustice,” which for Shelby means that we
should make clear to others that we care that injustice persists. I embrace Shelby’s
conclusion but object to his premise: On my view, to make clear to others that we care
about injustice is to make a positive contribution to social reform. The more that persons
care, the more power they can exert in demanding of those best-positioned to redress
injustice that they do so. And it is reasonable to suppose that there is no predetermined
limit as to how much persons can care, and so to how much power they can exert. That
power, I argue, can and ought to be exerted through prophetic political action.

Some lexical and methodological clarifications are in order. By “political action,” I mean
any manner of conduct ordered toward the adjustment of relations among pluralities of
persons. By “prophetic,” I in the first place refer by ostension to the form of political
action exemplified in the activities of figures like Amos, Jeremiah, and Martin Luther
King Jr. I take as established that the history of these figures’ activities constitutes a
tradition, one in which contemporary individuals may more or less self-consciously
participate. Precisely what such participation consists in – what it is to be prophetic – is,
however, subject to considerable controversy and fluidity. For most scholars, prophecy is

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taken as a species of rhetoric. George Shulman, for instance, speaks of prophecy as a matter of certain "modes of address and registers of voice" as well as a “vernacular” and particular “genre” of political speech. 5 “Prophecy is a special kind of talking,” Michael Walzer says. 6 For one subset of these scholars, the prophetic species of rhetoric is defined by its thematic content: It is of the essence of prophecy, on this view, to feature some or all of: references to God or the Bible; interpretations of contemporary events in terms of certain biblical stories, like the Exodus narrative, or in terms of biblical concepts, such as covenant, sin, or redemption; appeals to divine will in dictating particular courses of conduct. 7 “By prophetic politics,” David Shusterman writes, “I mean simply that each of these movements has grounded its identity and political vision in retellings of the Exodus narrative and the prophets of the Hebrew Bible.” 8 For Neal Riemer, “The prophet is a person who speaks God’s word and passes judgment on those who respect or violate God’s word.” 9 For others, the prophetic species of rhetoric is defined by its style, cadence, and tone. It is of the essence of prophecy, on this view, to be some or all of: heated, 10 unequivocal, 11 inflated, 12 dramatically vivid, 13 passionate, violent, threatening, searing, bitter, neuralgic, angry, loving, condemnatory, exhortative, hopeful. “Prophecy,”

5 George Shulman speaks of prophecy as a matter of certain "modes of address and registers of voice" as well as a “vernacular” and particular “genre” of political speech.
10 See Kaveny, Religious Discourse in the Public Square;
11 Ibid, 2.
Walter Breuggemann writes of a view he rejects, “is reduced to righteous indignation…an attractive and face-saving device for any excessive abrasiveness in the service of almost any cause.”

Differing purposes may reasonably commend differing definitions. But both for the purpose of discerning its normative structure – how prophecy ought to be practiced – as well as for the purpose of understanding its role in history, I argue that prophecy is best characterized not as a species of rhetoric but as a species of action more broadly. Prophetic speech is one paradigmatic sub-category of prophetic action, but calm and measured speech, speech lacking biblical or theological reference, and even performative silence can under the right circumstances qualify as prophetic as well, as can marching, fasting, chaining oneself to a fence, or holding one’s ground in face of dogs, water-canons, or threats of workplace of retaliation. Prophetic action is indeed a form of communication, but the medium of that communication is inclusive of any and all modes of visible conduct in which the lived commitments and convictions of the prophet may issue. As King puts it, it is possible to “present our very bodies as a means of laying our case before the conscience.”

15 John O’Malley offers Dorothy Day, Dietrich Bonhoeffer, and Oscar Romero as exemplars of prophetic culture whose “very silence and passivity proclaimed their truth as loudly as words,” adding that “Paradoxes like this are…characteristic of the prophetic style” (John W. O’Malley, Four Cultures of the West, Cambridge: Belknap Press, 2004, 8).
can be seen to live.\textsuperscript{17} Rather than say that prophecy is a “special kind of talking,” therefore, I would say that prophecy characteristically involves a special kind of talking as a function of a special form life and practice more broadly.

What prophetic action characteristically communicates on my view is not mere information – some set of facts regarding the future, the heavenly realm, and so on to which the prophet claims special access – but an irreducibly personal address, from the prophet to her audience, of a normative claim. The claim consists of a judgment as to the normative valence of some state of affairs and the corollary demand that the audience adopt that judgment as their own; in addressing that claim, the prophet demands of the audience that they adjust their conduct such as to render it fitting to the judgment they are to adopt. For example, a prophet might address a claim to their audience that they ought to care more about a certain group of persons, and so ought to be more concerned regarding those persons’ welfare, and so ought to conduct themselves such as to oppose in practice the oppression under which those persons presently suffer. Alternatively, a prophet in this neutral, structural sense may, in detonating their suicide belt, address a claim to their ideological confederates that they ought to achieve comparable devotion to the cause, and to their foes that they ought to join the cause. Where the prophet is successful in this communication, those in their audience may then accept, reject, or otherwise seek to ignore the communicated claim. Because the claim is fundamentally personal in character – it is addressed by an individual person to each of some set of individual persons, even, I argue, when its stated address is a collectivity – in accepting,

\textsuperscript{17} Addressing “prophetic discourse,” James Darsey helpfully distinguishes in this regard the “origin in the divine word,” or logos; the “psychosocial situation,” or pathos; and “the prophet’s personal mode of validation,” or ethos (James Darsey, The Prophetic Tradition and Radical Rhetoric in America, New York: New York University Press, 1997, 10-34).
rejecting, or ignoring the prophet’s claim, those in the audience accept, reject, or ignore the prophet.

Personally addressing a normative claim to an audience of persons may well issue in rhetorical reference to the divine will, apocalyptic punishment, and interpretations of contemporary events in terms of biblical typologies, but it certainly need not. That is not to say, however, that the model of prophecy I propose represents, or so much as allows for, a definitively secular form of prophecy, as George Shulman recommends we cultivate.¹⁸ To think that the absence of overtly theistic or biblical motifs renders speech definitively secular is to think that religion, or whatever is taken to be secularity’s implied opposite, is all and only a matter of overtly employing this or that set of words. Perhaps that is true. But it is a critical burden of prophetic action on my view to express, address, and thus bear witness to the possibility of modes of personal reality beyond the merely objective and external, and engagement with these registers of personal existence is reasonably thought of as critical to the phenomenon referred to with the term ‘religion’. It is reasonable, in other words, to suppose that neither prophecy nor religion is well understood in wholly objective, impersonal terms, and so that neither is well understood as dependent on so merely factual a matter as which vocabulary sets are and are not employed in their exercise. Whether or not something is religious may well be a different kind of question than whether or not something is a table. To deny this, I argue, is simply to beg the question against one of prophecy’s central claims; at the least, therefore, the question of whether prophecy lacking overtly theistic or biblical language is definitively secular ought at the outset to remain open. What categories like ‘religious’ and ‘secular’

¹⁸ Shulman, American Prophecy.
do, can, and should mean, moreover, may well prove implicated in and dependent on the possibilities for meaning that prophecy represents.

Likewise with the term ‘revelation’. Prophets may, as Amos, Jeremiah, and the later King sometimes did, claim to speak God’s word or message as conveyed to them in some or another manner, and such claims are widely taken to be definitive of prophecy as such. But again, if it is indeed a critical burden of prophetic action to express, address, and thus bear witness to the possibility of modes of personal reality beyond the merely objective and external, it is reasonable to suppose that engagement with those modes of reality is well described as revelatory, and that may be so whether or not the person enjoying that engagement does or would in fact so describe it. We should at the outset remain open, therefore, as to whether there might be fundamental continuity between claims to bearing a message as received in communication from God and claims to bearing a message as grounded in sources like personal faith, conviction, and imaginative vision. In any case, we certainly should not assume that formulae such as “Thus sayeth the Lord” are necessary ingredients of prophetic action. If Amos indeed was who and what he said he was and his career arguably shows him to have been, then that is arguably who and what he would have been even had he abjured invocations of God, and even if he himself understood the “Lord, God” who compels prophetic speech (Amos 3:8) to refer to his own reasoned, impassioned judgment as to the demands of the hour. Like ‘religion’, what concepts like ‘revelation’ and ‘God’ can and should mean may well prove implicated in and dependent on the possibilities for meaning that prophecy represents, and so conclusions as to the former should not precede investigation as to the latter.
Just the same, we should not simply assume, as many worry, that figures like Jerry Falwell, Pat Robertson, and George W. Bush are exemplary for prophecy as such simply by virtue of their biblically-infused vocabularies, incendiary histrionics, claims to have heard and heeded God’s call, and apocalyptic calls to arms. If Amos, Jeremiah, and Isaiah are right, purported prophets can be properly divided into two classes: (1) true and (2) false, or (1) those who speak the Lord’s word and (2) those who speak from their own hearts. On this view, there is indeed a formal-structural sense of the term in which both classes, and not only the former, qualify as prophets – one must be a prophet in order to be a false prophet. But, if Jeremiah, Isaiah, and Ezekiel are right, there is a further substantive sense in which only true prophets are prophets at all, with the superficial continuity in rhetoric between the two classes at best obscuring what prophecy as such is, can, and should be about. (If counterfeit dollars can share all the physical features of authentic ones, then, on the assumption that there is indeed a difference between authentic and counterfeit dollars, that difference should be sought elsewhere than in their physical characteristics.) Prophets of the Lord claim to carry a different message, and to carry it differently, than do prophets who speak of their own hearts. Their claim may be false, and intriguingly, precisely insofar as their claim to distinctively true prophecy is true, it will be in the interest of the prophets they deem false to deny or obscure that very distinction. In any case, I propose as a methodological preliminary merely to take the prophetic claim seriously, and so to leave open the possibility that of all those who claim the mantle, only a select few are exemplary of prophecy as such, and further, that the difference between true and false prophet is one that can reasonably, if not infallibly, be

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19 See for example Jeremiah 23.
judged. On the *prophetic* view, the struggle between true and counterfeit prophecy is constitutive of prophecy as such. It is my aim to critically engage the prophetic view.

Prophets are often thought of as defined by (1) mass followings and celebrity status won through (2) extraordinary charisma exercised through (3) big-ticket public spectacle. Prophets on this view are an elite class who, possessed of special gifts and winning therewith world-historical status, stand over against ordinary citizens. Martin Luther King Jr. is thus thought of as a prophetic figure specifically on account of his magnetic oratory and figurehead status at the helm of a powerful mass movement, whereas someone like Ella Baker, who along with innumerable others was quietly responsible for much of the on-the-ground organizing work necessary for King’s speechmaking and demonstrations to have real-world impact, is not. Charles Payne summarizes the caricature of the civil rights movement resulting from this way of thinking:

Many Southerners were very prejudiced against Blacks…The nonviolent protest movement, led by the brilliant and eloquent Revered Martin Luther King, aided by a sympathetic federal government, most notably the Kennedy brothers and a born-again Lyndon Johnson, was able to make America understand racial discrimination as a moral issue. Once Americans understood discrimination was wrong, they quickly moved to remove racial prejudice and discrimination from American life, as evidence by the Civil Rights Acts of 1964 and 1965. Dr. King was tragically slain in 1968. Fortunately, by that time the country had been changed, changed for the better in some fundamental ways. The movement was
a remarkable victory for all Americans…Inexplicably, just as the civil rights victories were piling up, many Black Americans, under the banner of Black Power, turned their backs on American Society.\textsuperscript{20}

For effect, Payne quotes an “even briefer version” offered by a recent college student:

“One day, a nice old lady, Rosa Parks, sat down on a bus and got arrested. The next day, Martin Luther King Jr. stood up, and the Montgomery bus boycott followed. And sometime later, King delivered his famous ‘I have a dream’ speech and segregation was over.”\textsuperscript{21} Rejecting this characterization as both unjustly denying recognition to supposedly lesser figures and offering a dangerously naïve picture of what real social transformation requires, many then move to reject the prophetic as such in favor of more down-to-earth and egalitarian modes of interpersonal persuasion and mobilization. I embrace the turn toward the less news-camera-ready work of ordinary citizens engaging their fellow ordinary citizens, but I seek to reject the presupposition that such work is to be contrasted with the prophetic. The normative structures exemplified in the work of readily-recognizable figures like Amos, Jeremiah, Gandhi, and King, I argue, are equally exemplified in the seemingly more mundane work of an Ella Baker, and are critical in guiding the conduct of ordinary citizens no less and no differently than that of those with the gifts, profile, and public-relations expertise to make the front page (or even the history books). It is not the case that we are all called to lead mass movements, but we are


I argue, called to prophetic action in some form. Prophecy is thus fundamentally egalitarian, and the prophetic relation thus fundamentally reciprocal – wherever I am to be your prophet, you are to be mine. The ethic of prophecy, I argue, is an ethic of democratic citizenship.

Normative examinations of prophetic action in scholarly writing tend to operate in an impersonal register, addressing whether this or that form of prophecy is good, bad, beneficial, necessary, noxious, or risky for society as a whole and in the abstract. The normative implications for individual moral agents, if there are any, are left unclear. But since it is ultimately individual moral agents to whom normative demands are addressed – even where imperatives are addressed to a collective, it is always some subset of the individuals comprising that collective on whom the responsibility to heed those imperatives falls – that is to say that is unclear if these examinations are normative in character at all. It is unclear, in other words, whether and how they might guide action.

The perspective of my project is that of the individual moral agent, and my aim is to discern what individual moral agents, finding themselves in a world less just than it could and ought to be, ought and ought not to do. The project, in other words, is to produce not only an account or theory but a first-order ethics of prophecy.

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22 Jason Springs, to take one example, argues compellingly to the conclusion that “contemporary public life does not suffer from a glut of prophetic criticism but, rather, a deficiency of it” (Jason Springs, Healthy Conflict in Contemporary American Society: From Enemy to Adversary, New York: Cambridge University Press, 2018, 5).
I argue that every individual person ought to commit themselves to prophetic action in pursuit of justice, but that resolving on this course imposes substantial normative constraints on the manner in which that end ought to be realized. Those concerns which have given theorists pause in approving of prophetic action in the public square – that prophecy characteristically involves a failure of civic respect, for instance – when considered from the perspective of first-person agential deliberation rather than that of a neutral or God’s-eye observer, help clarify the norms under which we are each to pursue our prophetic missions. Precisely because prophecy is a fundamentally personal activity, the fundamental normative question is not whether prophecy is licit or illicit in itself, and so whether it should be encouraged or discouraged in itself, but how a would-be prophet ought to go about discerning their course of action. Relatedly, the line between true and false prophecy does not so much as distinguish between one set of persons and another as mark a pair of opposed but mutually-implying possibilities internal to any individual person and would-be prophet: The promise of true prophecy on the part of an agent entails the danger of false prophecy on the part of that same agent. Since the distinction between true and false prophecy cannot be wholly captured in terms of objectively observable criteria – that a given prophetic action is authentic is not a proposition that can be mathematically deduced or scientifically proven – the authenticity of a given prophetic action may not be transparently determinable even to the prophet herself. Discerning how we ought to conduct ourselves in light of the promise of true prophecy, the corresponding danger of false prophecy, and the ambiguity and uncertainty intrinsic to their interrelation is a critical burden of my project.
English-language scholarship on contemporary prophecy has drawn the bulk of its inspiration and guidance, understandably, from American figures, a canon featuring Puritans, abolitionists, labor organizers, anti-poverty activists, and leaders of the civil-rights movement. With one eye held firmly on this tradition, my project engages most principally with the work of three thinkers born and intellectually formed in Europe: Abraham Joshua Heschel, Hannah Arendt, and Joseph Soloveitchik. The three share overlapping philosophical debts to then-current phenomenology and existentialism, traditions which, in following their lead, I draw on substantially and which I argue fill critical lacunae in Anglophile moral and political theory. Beyond the academic, however, these figures share a horizon of personal, and what they take to be world-historical, trauma, tragedy, and crisis. For each of them, I show, coming to terms with the Holocaust meant articulating an ethic of individual responsibility in face of societal evil and injustice. It is an ethic, I suspect, they wished they had seen lived by their friends, colleagues, mentors, and fellow persons in Germany in the years during, prior, and after. These persons, they knew, were not guilty for the Holocaust, as it was not the case that there was anything any given one of them could done or not done such that the Holocaust would not have happened. And yet they knew that could not mean the end of the normative story – it could not be that there was nothing the average, upright German citizen ought to have done, no further responsibility that they owed. Each in their own way, the conclusion that each of Heschel, Arendt, and Soloveitchik come to in confronting this problem is that it is indifference to evil, and not evil itself, which is the

fundamental moral failure of persons in society. And each, I argue, offers an account of prophetic political action as the fundamental moral responsibility of persons in light of that failure’s threat.

Drawing on these and a range of other thinkers, I show that not reason, not law, and not virtue, but *prophecy* represents the normatively adequate response to personal indifference and so to the societal evils it facilitates. The turn to *prophetic normativity* – the normative framework characteristically internal to prophetic practice – represents a considerable break from the modes of normativity long-dominant in both academic and popular thinking, a break well-encapsulated in Heschel’s shift from guilt/innocence to *responsibility* as the central normative concept. The question of what we ought to do is persistently conceived as matter of impersonal statutory imperatives with which we are either in compliance or not – if we perform or refrain from performing such and such an act we are guilty, if we do not we are innocent, and we each have reason to be innocent rather than guilty. The dominance of this juridical conception leads to a deeply impoverished normative viewpoint on which the oughts to which we are subject are all and only those which are clearly formulable in advance and our fulfillment or transgression of which are objectively determinable. Morality in this form is also addressed to individual agents considered monadically: for every given agent, the question is what they must do in order to evade a verdict of guilt. Responsibility, in contrast, can be fundamentally open-ended in character – no pre-determined catalogue of demanded performances can exhaust my responsibility for my son, for instance, and no line cleanly divides my fulfillment or transgression of that responsibility. And since responsibilities are *to others* – my responsibility for my son is also *to* my son, as well as
to his mother, other concerned parties, etc. – the fundamental question is not simply what
I ought to do but what I owe to these others. Most fundamentally, responsibility involves
modes of irreducibly personal commitment – it is a matter of what I am willing to put on
the line in taking responsibility – which, as Cavell argues, it is the very purpose of
construing morality in terms of deontic obligations to avoid. This shift to responsibility
as the governing moral concept, I argue, opens the possibility for an effective normative
response on the part of individuals to mass-societal justice of which they are not the
author, and it is this shift I find maturing in Heschel, Arendt, and Soloveitchik’s post-war
writings. It is a journey whose exigencies leads to the prophetic. “It was the realization
that the right coins were not available in the common currency that drove me to study the
thought of the prophets,” Heschel reports. It is that realization and subsequent drive
which I seek to recapture and reenact in the contemporary context.

Beyond the specific insights I take from each, lending special attention to
Heschel, Soloveitchik, and Arendt serves a further programmatic purpose. In Heschel the
emphasis on prophecy is theoretically explicit – his work The Prophets is a landmark
study and manifesto – and expressed in recognizably prophetic, real-world action, most
iconically alongside Martin Luther King Jr. on the march to Selma. In Soloveitchik the
emphasis on prophecy is likewise theoretically explicit. It is, however, relatively
understated and does not find expression in public civic action of any kind – as a result,
unlike Heschel, few think of Soloveitchik either as a prophetic figure or as a theorist of
prophecy. In Arendt there is hardly any mention of prophecy whatsoever, and while she
inhabits the role of the influential public intellectual, her relationship to that role’s

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political valences is at best highly ambivalent.\textsuperscript{26} Heschel and Soloveitchik are fiercely traditional Jews and rabbis who offer their lives’ work in service of Judaism, the Jewish people, and the life of faith of more broadly; Arendt is an atheist intellectual with a deeply frayed and ambivalent relationship to Judaism and the Jewish people. In showing that they each nonetheless converge on the same understanding of individual responsibility for societal evil, a responsibility well-understood as prophetic, I make the case that prophecy transcends the distinction between the overtly religious and the overtly secular and bridges the gap between grand public spectacle and the moral work of everyday personal interaction. Prophecy is a fundamentally public activity, but true prophecy can be nothing other than achieved personal inwardness made public; prophecy is a fundamentally human response to a fundamentally human failure, but that is precisely not to deny that to accept prophetic responsibility is to answer the call of God.

Prophecy is a fraught term burdened with millennia’s worth of varying associations and implications. My constructive project of discerning the responsibilities of individuals in response to societal injustice would thus be simpler without it. I embrace it, however, for four reasons. First, for me to exclude it from this work would be for me to perpetrate a lie, as it is a historical fact that my thinking on these questions was decisively shaped by my encounter with figures like Amos, Jeremiah, Heschel, and King. Second, refusing this lie is not merely to impose an idiosyncratic fixation of mine on my readers, since these figures have, as a matter of historical fact, decisively shaped the currents of thought to which my project is intended as an intervention. To obscure the indebtedness of my own thinking to the prophetic tradition would thus be to forfeit a

critical ground of commonality with many who I hope to reach and to hamper the prospects of dialogical success. Third, this is not only a matter of descriptive fact: I argue that the prophetic tradition *ought* to have shaped, and ought to shape, our thinking regarding our responsibility for justice, and so even if we could excise it without conceptual loss we should not. On the view I champion in this project, reflection on our moral responsibilities is most fundamentally a matter of discerning and heeding the moral claims – the calls to responsibility – addressed to us by actual persons. Amos, Jeremiah, King, and Heschel are actual persons whose calls to responsibility I and many of my intended readers are well positioned to discern and heed, and so, I argue, we ought to. Even were I to see that the cause of justice would all things considered be better served by a similarly-purposed book without reference to the prophets, therefore, it would remain the case that I ought to write this one as well. Moral resources are not so bountiful that we can afford to simply leave a promising investment on the table. Lastly, those challenges of meaning the term presents, I wager and argue, are ones we do well to confront rather than avoid. To make sense of prophecy’s puzzles would be in no small part to make sense of the puzzles we confront in confronting our responsibility for justice.
Chapter 1

“If there is such a thing as the truth of the matter about the subject matter of ethics…why is there any expectation that it should be conceptually simple, using only one or two ethical concepts, such as duty or good state of affairs, rather than many? Perhaps we need as many concepts to describe it as we find we need.” (Bernard Williams, *Ethics and The Limits of Philosophy*, 17)

“The fact that a human being possesses an eternal destiny imposes only one obligation: respect. The obligation is only performed if the respect is effectively expressed in a real, not a fictitious, way; and this can only be done through the medium of Man’s earthly needs.” (Simone Weil, *The Need for Roots*, 6)

“It was the realization that the right coins were not available in the common currency that drove me to study the thought of the prophets” (Abraham Joshua Heschel, *The Prophets*, xxviii)

When it comes to injustices in free societies, Heschel says, “some are guilty, but all are responsible.” The aim of chapters 1 and 2 is to advance and substantiate a set of first-order normative claims flowing from Heschel’s aphorism: First, every individual person in society has a responsibility to engage in prophetic action in pursuit of redress of their
society’s injustices. Second, every individual person in society has a responsibility to sustain an openness to heed the messages and demands addressed to them through the prophetic action of others. Third, every individual person in society has a responsibility to proactively cultivate on the part of themselves and on the part of every other person in their society a prospective openness to heeding messages and demands addressed to them through prophetic action. (Since, as I argue, this end is itself principally to be pursued by way of prophetic action itself and is itself ordered to the achievement of greater societal justice, the third claim turns out to be not only an accessory to but a specific instance of the first.)

The aim of the present chapter is to help clarify the meaning and import of these claims by way of motivating a turn to the prophetic on the part of moral philosophers, political theorists, and persons more generally. The pursuit of justice, I take for granted, calls for systematic, reasoned reflection ordered toward that end. For reflection to be satisfactorily ordered toward the pursuit of justice, I argue, requires that it follow the lines of thought called for by the work of prophecy: If our thinking about the pursuit of justice is to lead to justice, we must come to think prophetically. And I show that this represents neither a rejection of nor a foreign incursion into contemporary moral and political theory. It does, however, represent a deep critical intervention: Engaging a range of thinkers from both disciplines, I show both that they fall short in the relevant respects and that the problems and lines of argument they raise form a kind of trajectory pointing toward, although as-yet unable to reach, the prophetic. Diagnosing the obstacles preventing that completion and charting a therapeutic regimen for their removal is the substance of my intervention. The exercise, it is hoped, will allow those acculturated into
the practices of moral and political theory clear entry points and a subsequently firm grasp on the conceptual substance of my constructive proposal in chapter 2. Even for those readers free of this baggage, it is hoped that the work of showing my work – exhibiting the array of sources critical engagement with which as a matter of fact shaped my thinking on these questions – will facilitate greater comprehension of my central claims and arguments. The biblical prophets never read Scanlon, Rawls, or any of the thinkers addressed in this chapter. If they had, however, and if they had participated, however critically, in the communities of thought these thinkers inspire, I wager that they would have emerged better equipped than otherwise to give a reflective account of their prophetic work, and so better equipped than otherwise to persuade us to join them.

I begin with a brief explication of the central problem at hand. I argued in the introduction that in the context of liberal-democratic societies most societal injustices could be swiftly, substantially redressed were a sufficient number of individual persons to care about them. It is also the case that where a society’s individual persons do not care about a given societal injustice, it is consequently unlikely for that injustice to be redressed – whatever forces sustaining the injustice now are liable to continue sustaining it unless opposed with greater force. Since for many such injustices those whose concern is required for those injustices’ effective redress are not themselves directly culpable for them, the central problem of achieving societal justice emerges as the problem of how and on what grounds individual persons are to be moved to concern about injustice of which they are not the author. It is, in other words, in the first place not the classic philosopher’s question of whether and how the “amoralist” can be reasoned out of their amoralism – whether and how Socrates can finally persuade Callicles and Thrasymachus
– but whether and how an otherwise moral personality can be persuaded out of inertial indifference into proactively engaged concern and responsibility. There may well be no true amoralists, and if their specter does represent a genuine problem, it is far from clear why it should be the business of moral reflection to solve it.\textsuperscript{27} Moral indifference, by contrast, is ubiquitous, and addressing it is ubiquitously critical to moral work. Any reasoned pursuit of justice, therefore, will require that persons be moved, by way of reflective persuasion, from more indifference to less.

Systematic conceptual explication of the right and the good – of what one ought to do and what ought to be, considered in themselves – does not of its own elaborate the way in which a given person is to be brought to do what they ought to do or the way in which given persons are to be brought to bring about what ought to be. And they must indeed be so brought. Persons recognizing that they are bound by moral principles may nonetheless fail to recognize what those principles demand in a given case – knowing the principles, and knowing the facts, they may fail to see what the principles demand in regard to those facts.\textsuperscript{28} Even where they do see what the principles demand in a given case, they may fail to see, and honor, what the principles demand of them. A friend, kind, caring, and devoted, fails to see that the right thing for him to do at this particularly


sensitive time is to take off work and make that long drive to be with his friend in distress; a conscientious citizen knows in the abstract that she ought to tip underpaid workers, and in fact regularly tips waiters, but as a matter of habit neglects to tip the maid who cleans his hotel room; a mid-20th century American, civically minded, charitably disposed, and morally conscientious, fails to see discrimination against women as unjust; a contemporary American, committed to the principles of racial equality, fails to appreciate the injustice their country’s history of discrimination against black persons; a contemporary male, generous, thoughtful, and concerned about his society’s entrenched patterns of sexism, fails to see that his throwaway comment at the meeting undermines the standing of his female colleagues; an honorable ICE official, aware that separating migrant children from their parents represents a moral wrong, neglects any form of resistance on the grounds that the policy decision is not theirs to make.

With respect to societal injustice of which one is not the author, the question in the first place is thus whether and how, appraised of the facts, one can be moved to judge that the facts indeed constitute an injustice (and whether and how one can be moved, in light of the possibility of injustice, to inquire as to the facts in the first place). Secondly, once the facts are gathered and the judgment as to the injustice they represent rendered, there is then the further question as to what, if anything, an individual person ought to do in light of that judgment. Lastly, once it has been discerned what an individual person ought to do in light of a judgement of injustice, there is the further question of how and on what grounds they are to be brought to actually do what they ought to do. As Harry Frankfurt puts it, even where a person is fully appraised of and committed to the requirements of justice, “It is still the case that this person’s moral judgments are one
thing and the fact that he cares about them so much is another.”  

An adequate theory of justice ought to theorize the normative path leading from the theory of justice to justice, and so an adequate theory of justice must centrally engage, and never lose sight of, persons and their concerns. It is precisely these, however, toward which the work of theory is liable to prove indifferent. The question I explore in this chapter, in conversation first with moral philosophers and then with political theorists, is how that indifference can be recognized and righted.

Heschel reports that he completed his dissertation, entitled Das Prophetische Bewusstsein, in December of 1932 – one month prior to Hitler’s appointment to Germany’s chancellorship. Not knowing the horrors to swiftly come, he knew already then that human society and culture were in crisis, and that the intellectual resources he had sought out in Berlin could not be adequate to the cause:

Philosophy had become an isolated, self-subsisting, self-indulgent entity…The answers offered were unrelated to the problems, indifferent to the travail of a person who became aware of man’s suspended sensitivity in the face of stupendous challenge, indifferent to a situation in which good and evil became irrelevant, in which man became increasing callous to catastrophe and ready to suspend the principle of truth. I was slowly led to the realization that some of the terms, motivations, and concerns which dominate our thinking may prove destructive of the roots of human responsibility and treasonable to the ultimate ground of human solidarity. The challenge we are all exposed to, and the

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29 Harry Frankfurt, The Importance of What We Care About, (New York: Cambridge University Press, 1988), 82.
dreadful shame that shatters our capacity for inner peace, defy the ways and patterns of our thinking. One is forced to admit that some of the causes and motives of our thinking have led our existence astray, that speculative prosperity is no answer to spiritual bankruptcy.  

Heschel, that is, had come to understand that the fundamental problem of philosophy is that of indifference, callousness to evil and moral catastrophe, and at the same time that philosophy as practiced was not only incapable of solving that problem but deepened the crisis through its very failure to address it. By focusing our attention on the abstract and impersonal – conducting itself as if it is the abstract and impersonal is that which is most fundamental – philosophy’s active indifference to our indifference threatened to destroy human responsibility at its roots and undermine the ground of, commit treason against, the “ultimate ground of human solidarity.” As Heschel came to see it, the crisis of philosophy both reflected and fueled the crisis of humanity. If, therefore, humanity was to be set aright, philosophy would have to undergo a kind of revolutionary reorientation: “In the face of the tragic failure of the modern mind, incapable of preventing its own destruction, it became clear to me that the most important philosophical problem of the twentieth century was to find a new set of presuppositions or premises, a different way of thinking.”  

To find this new set of presuppositions or premises, and this different way of thinking, he turned to the biblical, prophetic tradition. “It was the realization that the right

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30 Heschel, The Prophets, xxviii.
31 Ibid.
coins were not available in the common currency that drove me to study the thought of the prophets.”

The failures of philosophy Heschel diagnoses may well be perennial – that is, it may well be native to philosophy as such to render itself inert with respect to human responsibility and solidarity. In any case, I argue that the crisis that moved Heschel in his day prevails in ours as well. The fact that philosophy can be said to go wrong in this way, however, suggests that it can in principle get things right, or at least do better. The promise of philosophy, Heschel’s view implies, is to be an engine of real-world human responsibility and solidarity, a critical instrument in the transition from indifference to concerned action in pursuit of justice. The question is what it takes for philosophy to comprehend its failure philosophically, and so to set itself philosophically aright. In exploring this question, I turn first to the world of recent-to-contemporary moral philosophy, and second to the world of recent-to-contemporary political theory, in each case tracing an intriguing, intriguingly unfinished trajectory of conversion toward responsibility for justice. These trajectories, I argue, point toward their redemptive completion in the turn to prophetic normativity.

Moral Philosophy

Wyschogrod’s Challenge

32 Heschel, The Prophets, xxviii.
“One difficulty connected with moral theory,” Edith Wyschogrod writes, “is the gap between the theory (even when it is a theory about practice) and life.” Moral theory, in other words, characteristically fails to comprehend its translation into, and so fails to translate into, real-world moral action. For Wyschogrod, the gap between moral theory and life is to be attributed firstly to the fact that moral theories are “thought to be something like theories of science,” the answers to its questions “somehow representing the way things are.” That is, moral theorizing is thought of as a fundamentally impersonal activity, and its deliverances thought of as fundamentally independent of persons and that which they care about. Implied in this formulation, however, is that moral theories need not be thought of in this way, and so, perhaps, that moral theory need not be inert with respect to moral life in this way. But it is not enough, she cautions, to succeed as “phenomenologists of the failure of moral theory” as she says Alasdair MacIntyre and Bernard Williams certainly have. What is needed, rather, is first a way of thinking which can “account for the deficiencies of theory” – that is, explain not only what theory’s mistakes are but how and why theory comes to them – and then on that basis to “forge a new ethic” adequate to the cause.

Flowing from and into the pathological scientism she alleges of moral theory is what she diagnoses as moral theory’s liability to conceive of moral agents as fundamentally atomistic and so in only incidental relation to others. “The Other is treated as another self,” in that my own self is taken for the purposes of moral reflection as already established and given prior to my engagement with the others to whom I am to be responsible.

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34 Ibid, xxv.
35 Ibid.
morally relate. Rawls’ theory comes under particular focus for taking “as its starting point a self that is an asocial monad and makes this self the founding condition for justice.”36 The reason this is so critical a misstep, Wyschogrod argues, is that since “the Other…is not constitutive of the field of moral transactions,” there can be no guarantee that the needs and claims of others, especially of the least advantaged, will adequately enter into account. Neither, to be clear, is it guaranteed that they will not: “The needs of the Other…may come into view.” This would, however, amount to a contingent, “fortuitous arising” – fortuitous in the sense that, given the resources and orientation of Rawls’ theory, the arising is left “inscrutable and uninterpretable.”37 Wyschogrod argues, that is, that Rawls theory fails to, and, given its presuppositions, cannot. adequately theorize the transition from indifference to concern. For Wyschogrod herself, this failure is particularly pressing given our predicament of pursuing the moral life in a human world torn by the realities of mass atrocity. But it is no less pressing, in my view, for facing the problems of societal justice generally.

O’Neill

Writing in the years just before and after Wyschogrod’s intervention, Onora O’Neill raises a related set of concerns while making real, and yet pointedly stunted, progress in addressing them. Particularists, virtue theorists, and empirically-minded public-policy advocates are right, O’Neill argues, to criticize modern theories of justice for failing as

37 Wyschogrod, Saints and Postmodernism, 68.
forms of practical rationality – modern theories of justice indeed fail to guide actual persons in the pursuit of actual justice. There are three interlocking problems underlying this failure. First, in seeking principles with universal application, theories of justice tend to abstract away from the particularities of time, place, and individual persons; since human needs vary across time, place, and individual persons, theory thus tends to abstract away from the realities of real human needs. “Abstract ethical reasoning, which tries to transcend particular social contexts and categories, often seems blind to the urgencies of needs and destitution.”38

Second, theories of justice specify what ends and ideals ought to be realized, but they fail to specify what in particular any particular person ought to do in any particular situation. Third, again on account of their abstraction from cultural particularities, theories of justice are often for that reason “unconvincing to those who could change matters.”39 For O’Neill, however, it is no less critical that practical rationality be rational, and rationality, she argues, does require the universality and hence the generality and abstraction of theory. It is thus a mistake to conclude, as particularists do, from the failures of moral theories that there can be no moral principles of general application at all, and that all there is to moral reflection is attention to the particularities of need in a given case. And it is a mistake to conclude from the failures of theories of justice, as many virtue theorists do, that all moral reflection ought to be a function of cultural and familial starting points which are themselves exempted from rational critique. And it is a still greater mistake than either, she argues, to conclude that we ought to renounce moral

39 Ibid.
reasoning altogether in favor of merely instrumental rationality and empirical policy analysis, as that would be to renounce the possibility of persuading to the cause those not yet devoted to the cause of social justice and welfare. “When those who have the power to change the lives of the poor see no reason to do so, little is likely to happen.”

It is thus vital that we be equipped to give them such a reason. “Genuinely practical ethical discourse,” O’Neill concludes, “needs modes of discourse and reasoning that do not presuppose the thinking of…a restricted outlook, yet are not too abstract to grasp questions of need directly. Without such reasoning, no amount of development expertise can prevent apathy, self-interest and failure of will from obstructing change.”

What is needed, O’Neill argues, is to see that the dilemma between rational theorizing and practical directives is a false one. Theories of justice have failed to address actual guidance to actual persons in meeting actual needs not because they are theories but because, beholden to the “prestige of specifically legal models of practical reasoning,” they tend to focus on rights rather than obligations. Since establishing that a given right is held by a given agent is conceptually independent of the question of what any given person ought to do to honor that right, theories of justice thus dissociate themselves from the work of guiding the actual decisions of actual agents: “When the perspective of recipience is taken as the starting point of practical reasoning, the more traditional and more obviously practical questions about ethical requirements, such as ‘What ought we (or: I) do?’, ‘How should we (or: I) live?’ and ‘What is to be done?’ will

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40 Ibid, xiii.
41 Ibid, xiii.
It is true that your possessing a given right can entail a determinate obligation on the part of all others not to directly interfere with that right – knowing that you have the right to liberty, I know that I may not enslave you. Even there, however, it remains the case that honoring such rights often requires more than the non-interference of any given individual – namely the social institutions and agencies necessary for securing the enjoyment of that right. The fact of your right, however, determines neither who within such institutions and agencies is obligated to do what in honoring your right nor who is obligated to do what toward establishing and sustaining such institutions and agencies. “Institutionalization disrupts any simple match between obligations and rights,” O’Neill observes.\footnote{Ibid, 135.}

The disruption is especially acute with regard to rights to positive goods and services, as the very possibility of meaningfully claiming such rights presupposes already-established institutional structures coordinating between claimants and the agents who are to meet their claims. I can only meaningfully claim a right to food, for instance, if there are agencies made responsible for the collection and distribution of food, as there would otherwise be no one in particular who my claim would be against, and so no one in particular who would be violating my right in neglecting to provide me with food.\footnote{See ibid, 132.} If the problem to be addressed through ethical reasoning is something like hunger, therefore, a theory of rights cannot provide us with genuinely practical guidance as to our obligations in realizing those rights for others until and insofar we are already in possession of a theory of our hunger-related obligations. Otherwise, O’Neill says, “Nobody would know
what their obligations were; or for whom they ought to provide what or when they should act, or at how much cost to themselves.”

O’Neill draws the conclusion that moral reflection, if it is to contribute to our actual moral lives, must begin with agency and obligations rather than recipience and rights. It is not only a matter of priority, however, as what must be seen is that, as against an apparent presupposition of modern theories of justice, it is not the case “everything required is also owed.” We have obligations, in other words, to do things which we would violate no one’s rights in not doing. This is critical, as “Nothing shows why indifference or self-centeredness should not be life-projects for liberals, providing, of course, that others’ rights are respected.” If we are serious about our commitments to justice and the welfare of others, however, then we cannot take indifference and self-centeredness to be morally permissible, which is to say that we must take ourselves as obligated to conduct ourselves in a manner expressing our principled rejection of indifference and self-centeredness in our commitment to justice and the welfare of others.

We are obligated, in other words, to not only avoid harming others ourselves but also to do our part in ensuring that they are not harmed by anyone at all: “Justice is in the first instance a matter of living lives and of seeking and supporting institutions and policies that reject injury.” And we are obligated to not only provide others with what they rightly claim from us but also to proactively shape our society such that the needs of others will be well-responded to. It is only in seeing these obligations that moral theory

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46 Ibid, 134.
47 See ibid, 137
48 Ibid, 144.
49 See ibid, chapter 6 and 7.
50 Ibid, 179.
can contribute to the actual pursuit by actual persons of actual justice, and it is only in seeing these obligations that moral theory can help us ensure we are not “blind to the urgencies need and destitution.” But to see these obligations, we must see that there can be obligations without corresponding rights.

For O’Neill, we can come to see these obligations simply through reflection on the realities of our practical deliberations. Acting, as opposed to merely twitching, follows from consideration of the action in question as recommended by a set of more or less consciously articulated propositions. With respect to a great many of our actions, the propositions underlying those actions include the assumptions “that there are others (seen as separate from the agent); that those others are nevertheless connected to the agent (either or both can act on the other); and that those others have limited but determinate powers.” In treating one’s wife and children as if they lacked independent standing, for instance, one will inevitably betray the assumption that they are in fact “distinct agents and subjects, with multiple, rather useful capacities and capabilities to act and to feel, to respond and even to take initiative.” In engaging in certain forms of market exchange as if less-advantaged others are not vulnerable to harm on that account, one betrays one’s assumption of such vulnerability in one’s assumption that those others will participate in those forms of market exchange despite their disadvantage and in the “skill and efficiency with which those who purport to hold these views of others adjust their activities to take advantage of the very limitations they deny.” It is enough, moreover, that these assumptions could make a difference in how we act. Where one

51 Onora O’Neill, *Faces of Hunger*, xii.
54 Ibid, 110.
denies that they enjoy any meaningful connection with others across the world, that denial may be undercut by the fact that were one to discover that those others possessed something one desperately sought, one would seek out those others. Importantly, “A background assumption of most affluent lives is that state power will effectively keep most distant strangers more or less in their place and in their poverty.” In operating on the basis of that assumption, O’Neill argues, we find ourselves burdened with the presupposition that those distant strangers count, and so deserve our consideration, as persons.

For O’Neill, then, moral theory is to move us from our indifference to injustice and need by making plain to us the assumptions latent in our acting in the world, spelling out the implications of those assumptions for how we ought to live our lives, and thereby making plain the bad-faith intellectual inconsistency of our failure to meet the full suite of obligations entailed by the needs of vulnerable others to whom we are in connection. The work of moral theory is thus precisely to remind us of the inextricability of others from our practical reasoning as such, and it is not the case for O’Neill’s view that, as per Wyschogrod’s indictment of moral theory, the coming into the view of the needs of others is simply “inscrutable” – the burden of O’Neill’s argument is precisely to show that it is reasoned. It is less clear, however, whether O’Neill succeeds, as per Wyschogrod’s desideratum, in rendering the transition from indifference to concern for others fully non-fortuitous: While O’Neill shows how one who engages in moral theory is to be brought to such concern, she does not show how one is to be brought to engage in moral theory. She argues that in neglecting this work we are liable to a form of

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55 Ibid, 114.
56 Ibid, 115.
intellectual incoherence – our policies of action are liable to conflict with our actions’ presuppositions – but it is unclear how the threat of intellectual incoherence gives us reason of sufficient force to rule out our continued indifference to others, especially where concern for others comes at a cost. This contingency reflects the more fundamental point that, even as it makes plain our relation to others, O’Neill’s conception of the reflecting moral agent remains fundamentally monadic in character – I come to see that I stand in relation to you through a process to which you are in no way party. In this sense, it remains the case that, in Wyschogrod’s terms, the Other…is not constitutive of the field of moral transactions,” and so it remains the case that the other’s needs may not come into view.

Critically, in arguing against the grain of contemporary theories of justice that we have obligations to others which are unmatched by corresponding rights, O’Neill articulates her insight by saying that we have obligations which are not owed to others: Imperfect universal obligations (as in the obligation to support just societal institutions) are “held by all, owed to none,” and imperfect special obligations (as in the obligation of a spouse to support their spouse’s life projects) which are “held by some, owed to none.”\(^{57}\) This is true if it simply means again that these obligations do not correspond to rights to a particular performance – that is, if it means that no one in particular can meaningfully sue me for my failure to perform any particular act of supporting just institutions, and that my spouse cannot meaningfully make a claim on my support in any particular way. I argue, however, that it is a mistake on O’Neill’s part to categorically deny that these obligations are owed to others: In failing to support just institutions, it is

\(^{57}\) Ibid, 152.
not only that I do wrong but that I wrong others, and in failing to support my spouse’s projects, it is not only that I do wrong but that I wrong my spouse. Correspondingly, others make rightful claims on me for my support of just institutions in some manner or other, and my spouse makes rightful claims on me for my support of their projects in some manner or other. Where I show myself indifferent to those claims, therefore, they may rightly call me to account. It is highly instructive that in fact O’Neill herself cannot fail to see this. Despite her clear-cut denials that these obligations are owed – obligations can be held by all or some but are always “owed to none” – in illustrating the obligations of parents to their children she writes that “Good parents will take it that they owe their children certain sorts of love, attention, and support…to which their children have no right.”58 O’Neill herself, in other words, cannot but betray that the logic of her project – reorienting moral theory toward the rational overcoming of indifference to others – requires the proposition that the forms of concern we are obligated to show others is owed to, and hence claimable by, those others.

I would suggest that just as for O’Neill it is the regnant “prestige of specifically legal models of practical reasoning” which occludes from moral theory’s view the possibility of obligations without corresponding rights, it is the very same dominance of juridical thinking which occludes from O’Neill’s official view the possibility of claim-rights without obligations to determinate performances. Because she takes your rightfully claiming X of me to entail that my failure to do X is of a sort to be amenable to determination in a court of law – that is, X is the kind of thing which it can be mechanically determined that I have either done or not done – she cannot recognize that

58 Ibid, 151. [Emphasis added.]
you can make claims on my concern for you and your needs. What is needed, therefore, is not only a shift from the perspective of recipience and rights to the perspective of agency and obligations, but a shift from both to the perspective of fundamentally relational obligations: that which we owe to, and not merely for, each other. On the prophetic view I develop in this project, it is this perspective which, in grounding our addressing of normative claims to each other, rationally underwrites the transition from indifference to concern.

*Holding Each Other to Account for What We Owe to Each Other: Scanlon, Darwall, Wallace*

The unrealized trajectory implicit in O’Neill’s work is reproduced on the other side of the Atlantic starting with the parallel and contemporaneous constructivism of T.M. Scanlon. For Scanlon, the question of right and wrong is indeed not simply what we, considered in ourselves, ought to do or not do, considered in itself, but “what we owe to each other” to do or not do. What we owe each other, on Scanlon’s view, is to restrict our courses of action to those determined by deliberative principles to which no individual person could, for distinctively personal reasons, reasonably reject. We owe this to each other because we owe it to each other not to act in ways which we could not justify to each other, and it is such and only such principles with which we can justify our actions to others: Where

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we act on a principle to which some person could reasonably object, we cannot justify
our action to that person, and so our action is wrong. This conception is thus fully inter-
personal, in that the respect and consideration called for are fully reciprocal. This is so
not only in the sense that your responsibilities to me are, all things being equal, the same
as mine to you, but in the sense that what my respect and consideration for you calls for
is itself determined by your respect and consideration for me: What I cannot justify to
you is that to which you can reasonably reject, where reasonability, as opposed to merely
instrumental rationality, is itself determined by consideration and respect for others.
Morality emerges as founded on a form of conversation – a conception of morality for
which, in Wyschogrod’s terms, indebtedness to the Other is again a constitutive first
premise.

To serve as the basis for an adequate theory of justice in the sense I have
described, however, Scanlon’s theory would require supplementation on several fronts.
Most basically, Scanlon’s methodological starting point is to take for granted persons
already motivated to discern and fulfill the moral principles his theory aims to discern
and explain: “The parties…are assumed not merely to be seeking some kind of advantage
but also to be moved by the aim of finding principles that others, similarly motivated,
could not reasonably reject.”60 Scanlon thus does not address the question of how persons
are to be brought to be motivated in this way. He further does not address the problem,
critical for the actual pursuit of justice, of persons who are morally motivated in principle
but who are either simply unaware of or have misjudged a given injustice requiring an
adjustment to their moral principles (other persons may reasonably object to principles

60 Ibid, 5.
underwriting indifference and inaction regarding the unjust conditions). The Scanlonian deliberator works with what they know – or believe they know – in determining whether or not any individual person could reasonably object to a given principle. What is not clear is whether and how they may come to consider the actual claims of actual other persons. And since Scanlon’s focus is exclusively on the objective, propositional content of any such claims, his theory is ill-equipped to discern what we owe to those who make otherwise good claims in bad faith\(^{61}\) – or to those who make what seem to us to be poor claims in good faith.

While Scanlon does conceive of morality as founded on a form of conversation, then, that form of conversation is one which does not require actual conversation with actual other persons, and his theory cannot offer normative direction for such conversations. Scanlon does insist that his is “not a solipsistic undertaking,” in that though he takes as a starting point his own moral experience, he does so with “the presumption that there is a ‘we’ of which it is typical.”\(^{62}\) This presumption, he argues, is “not unwarranted,” since his own ideas of right and wrong “have not been formed in isolation, but through interaction and conversation with many other people.”\(^{63}\) Typical ‘we’s are not actual ‘we’s, however, and reflection shaped by a history of conversations is not the same as reflection through conversation. Overall, whether or not R.J. Wallace is fair in his somewhat nebulous claim that Scanlon has proven himself “somewhat diffident” in affirming and explicating the fundamentally relational conception of

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\(^{61}\) See Johann Frick, “What We Owe to Hypocrites: Contractualism and the Speaker-Relativity of Justification” in *Philosophy & Public Affairs* 44.4 (2016), 223-265.

\(^{62}\) Scanlon, *What We Owe to Each Other*, 352.

\(^{63}\) Ibid.
morality his theory seems to presuppose, it is indicative of the state of moral theory that even a figure like Scanlon, whose magnum opus is one of the most powerful twentieth-century cases for a relational conception of morality, could be so much as plausibly liable to simply neglect its relational implications.

For Stephen Darwall, it is vital that we see that what we owe to each other is fundamentally a matter of the claims we can and do address to each other. Should you rest your foot on my toe, the reason you ought to remove it is not only that it is bad, objectively speaking, for people to have their toes stepped on. Were that the only reason, it would follow that in a scenario in which your removing your foot from upon mine would somehow cause some number of other people’s toes to be stepped on, you would not have reason to remove your toe from upon mine, as doing so would not decrease the amount of badness in the world. And yet, even where it is the case that, all things considered, you actually ought not to remove your foot from upon my toe so as to spare the toes of others, it surely remains the case that there is a (defeasible) reason for you to remove your toe from upon mine, and that is that it is your foot upon my toe. In demanding that you remove your foot, I thus serve not only the epistemic function of informing you of an imperative to which you are subject, but the directly practical role of directing your will, analogous to the way a sergeant directs her troops: Her orders do not merely apprise the soldiers of a reason for doing pushups, but rather create that reason, a reason that is thus distinctively second-personal in nature – the sergeant’s address comes with “an implicit RSVP,” a call to engage in a suite of interpersonal structures

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constituting the soldiers’ accountability to the sergeant with respect to her orders.\textsuperscript{66} It is an exercise not of advice but of authority.

In a review of Darwall’s book, Wallace argued that while it is true that you owe it to me to remove your foot and wrong me if you do not, this is best understood not as a matter of authoritative interpersonal address but rather in terms of an antecedently given structure of “bipolar,” or relational, normativity consisting of rights, claims, and corresponding obligations. It cannot be a matter of address, Wallace argues, because that would make moral requirements hostage to the contingency of whether or not persons actually communicate the relevant claims – whether or not I actually demand that you remove your foot from upon my toe, for instance.\textsuperscript{67} And even where I do communicate that demand to you, it is odd to think that you have no reasons in this regard – a reason not to press your foot upon mine in the first place, for instance – prior to my addressing that demand.\textsuperscript{68} As Wallace notes, Darwall does clarify that on his view it is not necessary that persons actually communicate demands in order to create second-personal reasons: “Moral obligations…involve implicit demands that are ‘in force’…even when actual individuals have not explicitly made them.”\textsuperscript{69} These demands are in force in the sense that the relevant persons, silent though they are, are prone to react to violations of these demands with attitudes like blame and resentment, putting would-be violators on notice that they can be held to account for their violations.\textsuperscript{70} But for Wallace this remains

\textsuperscript{66} Ibid, 145.
\textsuperscript{68} Ibid.
\textsuperscript{69} See Darwall, The Second-Person Standpoint, 290, fn. 22.
\textsuperscript{70} Darwall draws his account of the “reactive attitudes” and their normative presuppositions, including the language of “proneness,” from P.F. Strawson’s “Freedom and Resentment” in Studies in the Philosophy of Thought and Action, (London: Oxford University Press, 71-96).
inadequate, as interpersonal moral requirements remain hostage to the contingency of actual persons actually being prone to react in this way: “Your reason not to step on the gouty toe of your neighbor seems to obtain independently of whether the victim of the condition orders you not to tread on him, but it seems equally independent of whether the victim, or anyone else, is in fact disposed to respond to your treading on his toes with resentment, indignation, and similar accountability reactions.”

Lastly, Wallace sees Darwall’s invoking of the sergeant example in explicating his conception of practical authority as incriminating that conception for moral purposes, as the sergeant’s authority is grounded in a kind of asymmetrically hierarchical relation to her troops we egalitarian-cosmopolitan moderns should not want to say I can hold over you in the moral case. Wallace thus opts for a simpler account of relational obligations free of the contingencies of authority and address: Since I am a person to whom you are in relation, you owe it to me to remove your foot, and so will not only do wrong but wrong me should you fail to do so. Correspondingly, I have a claim against you for your foot’s removal, and so would properly resent you should you flout that claim. And I would properly resent your flouting of my claim, Wallace adds, not only on account of the harm accrued due to my toe’s continued subjugation, but on account of the specifically moral injury of your rejecting my standing to make this claim against you – your treating me as someone whose rights you do not owe consideration of. For Wallace, such forms of obligation just are “things that we owe to other persons just in virtue of their standing as persons.” For any two persons X and Y, X and Y are, and ought to find

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71 Wallace, “‘Reasons, Relations, and Commands: Reflections on Darwall,’” 27.
themselves, simply linked each to the other through a web of reciprocally owed and enjoyed rights and duties.

Darwall’s argument is that relational normativity in Wallace’s sense cannot be fundamental, cannot be all there is. Where I *wrong* you, as opposed to merely doing something you dislike, it follows that I do wrong, period, that being precisely the difference between the two cases.73 But whether or not I do wrong, unlike whether or not I violate your rights, is not up to you – you may forgive my transgression of your right, either post facto or in advance, but you may not license my wrongdoing as such, even where you are the target. (Analogously, you may forgo a civil suit against me for my infraction, but you have no standing to negate criminal proceedings, even where you are the sole victim; correspondingly, it is at your discretion, and no one else’s, to bring a civil suit, but it is at society’s discretion, and not yours, to bring criminal charges.74) That is to say that while you are the one wronged, it was not your *individual* authority – your authority as the particular individual you are – which is violated.75 Darwall points out that normatively-charged reactions like blame and guilt are equally meaningful not only on the part of one wronged but on the part of any others appraised of that wronging as well: Where Herbert strikes Lionel, I may come to blame Herbert, hold him to account, for his transgression. In doing so I implicitly address a claim to Herbert that he ought not to do such things, as it is precisely that demand which makes my reaction *blame* rather than simple displeasure, as I might experience were it to have been a falling acorn which struck Lionel rather than Herbert. This is not, Darwall observes, a *naked* demand on my

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74 Ibid, 31.
75 Ibid.
part, as my holding Herbert to moral account purports to be more than, and so to enjoy a
ground beyond that of, a raw exercise of power: “Blame addresses a demand as legitimate, so it necessarily assumes an authority to make the demand.” But this authority is clearly not one I enjoy on account being the particular individual that I am, nor is it a matter of my standing in the special relation of having been wronged by Herbert in this way, as I am not Lionel. My authority in this, rather, must be representative in character: “My claim,” Darwall says, “is that when we blame someone…we implicitly address a demand, not at our own individual discretion, but as a representative person, on behalf of the moral community, as it were.”

Critically, my authority to address this demand to you presupposes, and so recognizes, your own authority to address such demands, as I can only hold you to account for that which you can hold yourself to account for – that which you can expect of yourself to do and blame yourself for failure to do. But as even your own authority to hold yourself to account is not individual but representative – it is not a function of the particular person you are but simply of your standing as a person – your holding it presupposes that you are party to the moral community just as I. Moral requirements, and the mode of address underwriting them, are fundamentally a matter of “moral responsibility or accountability, which entails a standing to address (and be addressed by) legitimate claims and demands.” In holding you to account for holding yourself to account, I recognize your authority to hold persons to account, and so invite you to participate more fully in the community of mutual moral accountability. It is thus clear

76 Darwall, Morality, Authority, and Law, 36.
77 Ibid, 37.
why Wallace’s worry regarding the hierarchical and asymmetrical implications of
invoking authority relations to ground moral requirements is unfounded – at least in
principle, the authority in question is exclusively egalitarian, shared, and reciprocal. And
since it is representative rather than individual authority that is to ground moral
requirements, it is clear why it is simply irrelevant for those requirements as such
whether or not any actual individual person actually addresses the relevant demands – if
it is not my authority that matters, then it cannot matter whether or not I choose to
exercise my authority, and so to for any other individual person and their own authority.
What matters, rather, is that we not only find ourselves in relation to each other and so
charged with relational duties and rights, but further find ourselves participant to a
community of mutual accountability, each to all, with respect to what we owe to each
other.

The value-added for my achievement-of-justice-focused purposes of Darwall’s
account over Wallace’s emerges most forcefully in their respective treatments of third
parties to interpersonal wrongs. Take the case of Robert Mugabe’s repressive violence
against Zimbabwean dissenters from 1983 to 1987: “When I become indignant about
Mugabe’s treatment of Zimbabwean dissidents,” Wallace says,

I assume he had good reason to comply with the demand that I hold him to for
humane treatment of his political opponents. But this reason does not derive
from my ‘authority’ to hold him to the demand. If anyone’s authority is at issue
here, it is surely the authority of Mugabe’s political opponents, who are in a
privileged position to complain when he arranges for them to be beaten and intimidated.

For Wallace, while it is true that Mugabe has not only monadically done wrong but interpersonally wronged others, and while it is true that anyone can legitimately reproach Mugabe for what he has done and demand that he cease, the legitimacy of that reproach and demand can issue only from the authority of those individuals actually wronged – since it is only they whose rights as persons have been violated, it is only they, and those who speak on their behalf, who can legitimately address the salient demands in response. Darwall’s concern is that this leads to the dilemma that either third-party demands on behalf of the suffering are merely epistemic in form, making known to Mugabe that he is in violation of a requirement which is not fundamentally our business, or else amount to a brute imposition of social force, albeit to a desirable end. It seems wrong, however, to think that Mugabe’s actions are on any fundamental level none of our business, and so it seems wrong to think that our holding him to account is normatively indistinguishable from simple coercion, however justified. Another way to put this would be that it seems that Mugabe owes it not only to his victims but to us to refrain from unjust violence, and so it seems that we too should have the standing to hold him to account. Again, Darwall’s argument is first that insofar as Mugabe wrongs his victims, he surely does wrong, period, and doing wrong, period entails that reactions of blame and reproach are warranted on the part of every member of the moral community as such. That is, not as our individual selves but as representatives of the moral community we enjoy the

authority to hold Mugabe to account for his wrongs against others. And to do so is to
demand of Mugabe that he hold *himself* to account for his action, and so to recognize
Mugabe as member of the moral community, with all the privileges and responsibilities
that membership entails.

Levinas observes that the problem of justice emerges when the one-on-one
encounter of persons is complicated by the presence of “the Third.” The pursuit of justice
in society requires that individual persons take responsibility for that which they
themselves have not done. The Mugabes of the world will not themselves redress their
injustices, nor, except in exceptional cases, will their victims succeed in doing so. What is
needed, therefore, is for third parties to hold them to account. With Darwall’s
development, moral philosophy offers the resources to make normative sense of this
response and the authority which underwrites it: Each of us, as representative members of
the moral community, legitimately holds any and all of us to account for our
wrongdoings against anyone.

Darwall’s project requires supplementation on this score, however, for, as we
saw, Darwall conceptualizes the demands addressed by the moral community as
essentially indifferent to their actual expression by any actual person, whereas it is surely
not indifferent for the pursuit of justice whether or not these demands are actually
addressed by actual persons. What is needed, therefore, is a further normative structure
for the work of *actually* holding each other to account: As a normative matter, what
forms of expression ought and ought not we to employ to this end? On what normative
grounds may such expressions win their intended effects? “It is a…sign of moral
philosophy’s relative neglect of questions surrounding the dialogical presentation of
moral arguments,” Johann Frick writes, “that such an account is almost wholly absent from the literature. Indeed, I am not aware of any detailed analysis of the concept of interpersonal moral justification.” It is a neglect which requires righting.

The problem of societal justice is further that individuals generally cannot by themselves redress injustice for others. No matter what authority I represent, and no matter how I express it, my exercise of that authority in reproaching the world’s Mugabes will not carry enough power to effect change on its own. Here what is needed is for me, already a third-party to the injustice, to bring enough further others to join me in the work of holding the perpetrators to account. When it comes to structural injustice – injustice of which no individual person is the author – however, even this much is not yet adequate, for whom exactly are we to hold to account? From whom are we to demand redress? The response my project wagers is first to say that we hold not only the authority to hold each other to moral account, but the responsibility to do so: Where I can rightly hold others to account I ought to do so, and where I do not, others may then rightly hold me to account for that neglect. I take it as conceptually entailed by my authorization to hold Mugabe to account for his crimes against others, for instance, that I am accountable to others for the work of actually carrying this out – and all others are reciprocally accountable to me on the same score. Put the other way, indifference to injustice is among the moral shortcomings for which we are rightly accountable to each other, one which goes to the heart of interpersonal normativity as such: In taking responsibility for the work of making the mutual accountability of each to all real, we affirm our standing as participants to the moral community; in neglecting to take responsibility in this way, we have yet to fulfill

our responsibility to the moral community – have yet to offer the account for the offering of which we are rightly held. Since this is a responsibility owed by each to all, it is a responsibility for which each can address to all an authoritative demand for its fulfillment. Further grounding this structure of responsibility and explicating its implications for the pursuit of justice will be the central burden of chapter 2. I turn now to an analytic resume of these questions’ treatment in the domain of political theory. In particular, I trace the trajectory connecting Rawls to certain of his critics regarding the purported relationship between the theory of justice and justice. The trajectory, I argue, points toward the prophetic.

**Political Theory**

*Rawls, His Critics, and the Question of “Social Value”*

The peculiar divorce from life which Wyschogrod ascribes to moral theory, along with the retreat to impersonal systematicity and failure of genuine interpersonality she diagnoses as underlying it, have come to be an engine of increasingly critical reflection in political theory. Rawlsian “Ideal Theory,” ascendant in much of the academy since its inception in the 1970’s, developed methods for abstracting from the concrete, particular, and parochial in imagining how, at the most basic, structural level, the institutions of a just policy ought ideally to be structured. It is a compelling project, and Rawls’ *A Theory of Justice* has certainly launched its thousand ships of commentary and friendly
amendment in search of the ideal, ideally “well-ordered” society. But even if it were true that we cannot know where we are to go next if we do not know where we hope to arrive in the end, it is certainly not true that knowing our ultimate destination entails knowing our next step. Thus critics like Amartya Sen charge that insofar as a theory of justice has among its ends the achievement of justice in the actual world, as a theory of justice surely should, it should focus on discerning concrete, present injustices and on what it would take to achieve not perfectly just, but simply more just than at present, outcomes. “The question that remains,” for Sen, “is how this consistent and coherent political model will translate into guidance about justice of justice in the world in which we live.” Still more to the point for my purposes, Sen argues that Rawls’ theorizing, powerful as it is in the abstract, neglects the “huge and multi-faceted task…of combining the operation of the principles of justice with the actual behavior of people.” This is problematic, he says, as “it can be argued that that the relationship between social institutions and actual…individual behavior cannot but be critically important for any theory of justice that is aimed at guiding social choice toward social justice.” The actual pursuit of actual justice, in other words, calls for a form of reflection addressed to the conduct of actual individual persons.

Critics like Sharon Krause argue that the “rationalism” exemplified by Rawls falls short on the ground that it “suffers from a motivational deficit” – its deliverances are not in themselves equipped to motivate people toward their realization. “The self as

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81 For Rawls’ explication of the term, see John Rawls, *Theory of Justice*, 397.
83 Ibid, 69.
84 Ibid.
“deliberator,” Krause says, “comes apart from the self as agent.”\(^{86}\) The reason for this, on her account, is that rationalism fails to incorporate \textit{sentiment} into the workings of deliberation, as it is only sentiment which can provide “a sense of what matters” and “constitute the horizon of concern”\(^{87}\) requisite for actual moral life. Krause is eager to show that Rawls is himself in fact quite aware of this problem, insisting only that his ad-hoc palliative efforts do not adequately solve it. Sentiment cannot be merely an afterthought addendum to rationalism. Krause, however, breaks with feminist “care” theorists like Carrol Gilligan, Virginia Held, and Joan Tronto in recognizing the necessity of strictly impartial reasoning for justice and normative legitimacy more generally – these theorists, she worries, leave themselves without “adequate grounds for distinguishing good from bad forms of caring,”\(^{88}\) and there surely are bad forms of caring. Krause’s project is therefore to show that sentiment can itself be participant to the work of impartial reason: Drawing on Hume and Smith, she argues that we can, through the work of empathetically considering what matters to others, come to genuinely impartial, normatively valid conclusions as to what matters, full stop.

The goal, if not the philosophical palette, is one shared by Martha Nussbaum: not to supplant Rawls’ impartial deliberation but to supplement it with the work of empathy, passion, and, most fundamentally, love.\(^{89}\) “Rawls’ well-ordered society asks a lot of its citizens,” Nussbaum observes, and that is so even where, as in Rawls’ thought experiment, that society suffers no history of oppression between sub-groups.\(^{90}\) Rawls’

\(^{86}\) Ibid.
\(^{87}\) Ibid, 3.
\(^{88}\) Ibid, 51.
\(^{90}\) Ibid, 9.
construction would, for instance, disallow any inequalities of wealth or opportunity not clearly of benefit to those worst off, a constraint against which human nature will naturally rebel, and the “commitment to equal liberty…is also one that human beings tend to honor unevenly.”\textsuperscript{91} Rawls, moreover, insists as a requirement for the well-ordered society that its citizens not only comply with its norms but do so “for the right reasons,”\textsuperscript{92} a requirement the motivation to the fulfillment of which certainly cannot be secured by a rationalist thought experiment, however systematically developed.\textsuperscript{93} As Rawls himself acknowledges,\textsuperscript{94} there is thus a critical space left vacant in his theory of justice.

Nussbaum aims to “fill that space” while offering an account of decent, rather than ideal, societies – of “societies aspiring to justice” – with the result an account “that differs from Rawls’s in philosophical detail, but not in underlying spirit.”\textsuperscript{95}

Both Krause and Nussbaum address the lacunae they see in the Rawlsian program by sketching overlapping batteries of suggestions for broad-scale, state-led cultural and social initiatives: principally, educational and civic policies and programs aimed at cultivating reflective empathy for Krause, and public arts, education, and political rhetoric aimed at cultivating reflective love, passion, and compassion among a nation’s citizens for Nussbaum. “The primary unit of analysis is the nation,” Nussbaum says,\textsuperscript{96} and it is at that level whereupon the focus of her positive recommendations remains.

What neither Krause nor Nussbaum address, however, is how nations are to be brought to set their eyes on these goals and so to adopt these kinds of programs to those ends. These

\textsuperscript{91} Ibid, 8.  
\textsuperscript{92} John Rawls, \textit{Political Liberalism}, xlii.  
\textsuperscript{93} Nussbaum, \textit{Political Emotions}, 9.  
\textsuperscript{94} See Rawls, \textit{Political Liberalism}, 81-88.  
\textsuperscript{95} Nussbaum, \textit{Political Emotions}, 9. [Emphasis added.]  
\textsuperscript{96} Nussbaum, \textit{Political Emotions}, 17.
programs and policies would come at a cost – whether in dollars or other form of personal and political capital – and actual persons would have to accept those costs in shepherding them through the relevant agencies and committees. The question, then, is how those actual, individual persons are to be brought to accept those costs, and that is not a question either Krause or Nussbaum broaches. But that is to say that, their contributions notwithstanding, they have yet to bridge the gap between rationalist theorizing about justice to its realization.

From a different angle, critics like Charles Mills charged both Rawls and Rawlsian theory more generally with exhibiting a programmatic, more-than-incidental blind-spot with respect to racial injustices and historical injustices more generally, arguing that Rawlsian liberalism failed to account for its own grounding in historical patterns of racial domination and thus would necessarily fail in the achievement of actual justice. Not recognizing its own grounding in the entrenched social power of white male professors, ideal theory neglects real-world oppression and the real-world structures of power sustaining it and so fails as a contribution to the pursuit of justice – a charge Mills extends to regnant liberal theorizing more broadly.97 Responding to Mills, Christopher Lebron argues that while emphasizing the centrality of white supremacy to the formation and perpetuation of our social structures is valuable as history, from the perspective of any effort to theorize what actually redressing injustice would take the attribution of contemporary racial inequality to white supremacy is “overly simplistic and analytically empty.”98 What is needed, rather, is to supplement abstract, impersonal notions like racial

98 Christopher Lebron, The Color of Our Shame, 9.
hierarchies and systems of power with explicit attention to those entities and dynamics which create and sustain such things – that is, persons, and the things they believe and do. In the workings of racial inequality, he insists, “actual persons employ judgments,” and so it is persons and their judgments that we must address in addressing racial inequality. The question, for Lebron, is this: How is it that the vast majority of contemporary Americans believe, would affirm with plausible sincerity, that racial inequality is wrong, and yet contemporary American society persists in perpetuating racial inequality? “What makes the problem of racial inequality peculiar,” he remarks, “is that there is almost no disagreement that inequality on account of one’s race is morally acceptable.” And yet society perpetuates inequality on account of race: “We often know better, but do not do better.” With Lebron, then, political theory has come to see that the problem of achieving justice in liberal-democratic society is not in the first place that of discerning correct moral principles, nor that of persuading the amoralist to adopt principles they reject, but rather that of moving moral persons from indifferent passivity to proactive concern and responsibility.

Analytically, what this requires is a turn to what the “problem of social value” mediated and reproduced through “bad institutional character.” Racial inequality is reproduced despite our commitment to equality because our society’s basic governing institutions have come to be structured such as to obscure to our eyes the value of black

99 Idem, 44.
100 Idem, 20.
101 Idem, 55.
102 Idem, 44.
103 Idem, 61.
persons relative to that of white persons, such that “blacks do not occupy an equal place in the scheme of normative attention and concern.”\textsuperscript{104}

The centrality of this problem is a judgment shared by Eddie Glaude Jr. in his analysis of the “value gap,”\textsuperscript{105} as well as, notably, Martin Luther King, Jr. That is, it is at root a matter of what we care about – of what matters, and what matters to us – and how we can be brought to care more for those suffering under societal injustice we apparently do not will. Normatively, Lebron’s prescription is to commend appeals to \textit{shame}, calling persons and institutions to live up to their own ideals by bringing them to see the ways they have fallen short. “Shame does not indicate a fault in rules or laws or expectations, but a failure, as a society, both institutionally and personally, to consistently align actions and dispositions with a commitment to those rules, laws, and expectations.”\textsuperscript{106} In indicating that particular form of failure, shame calls persons and institutions to live up to those very ideals and principles to which they are already committed.

Lebron’s account requires clarification on several counts. First, it is not clear on what grounds it is to be determined whether given persons or institutions are indeed committed to the right moral principles and falling short on account of a distorted scheme of value or are simply not as committed to the principles as they say they are. Simple hypocrisy is a common-enough phenomenon, and with respect to an analysis of racial inequality in contemporary America, many will be reasonably inclined toward categories more directly indicating malevolence than Lebron’s. In clarifying the distinction, Lebron provides as an apparently contrasting example the 2010 British Petroleum oil spill in the

\begin{flushleft}
\textsuperscript{104} Idem, 46.
\textsuperscript{106} Idem, 18.
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Gulf of Mexico, about which “Many are outraged because it is clear that it was in part a result of corporate greed that ultimately marginalized considerations over environmental prudence and responsibility. In short, it seems BP was committed to the wrong kinds of principles (i.e., profit at the expense of environmental sustainability or public accountability.)” Here it is outrage, he says, rather than the eliciting of shame, that is the appropriate normative response, because BP was not so much as committed to the right principles. But why not say that while BP was indeed committed to the right principles – this is after all what BP says – its conduct went awry on account of the inadequate valuation of the environment systemically prevalent in corporate culture? Or alternatively, why not say that Americans are simply not as committed to racial equality as they say they are, as they seem to prioritize market stability and the status quo of the entrenched social hierarchies over racial justice? And what exactly is supposed to be at stake in the distinction? The descriptive indeterminacy would seem to be underlain by a lacuna in the theory itself.

Second, given the role of the problem of social value on Lebron’s account, it is not clear how confronting persons and institutions with their failure to conduct themselves in greater conformity with their principles is to bring them to feel shame, if, by hypothesis, they are blind to that failure of conformity on account of their askew scheme of valuation. The clean separation of the problem of social value from the question of commitment to principles on the analytic plane, in other words, renders the intended relation between the two obscure on the normative plane. Lastly, while Lebron is clear in arguing that the experience of shame would constitute a critical step forward in

107 Idem, 20.
the cause of justice and that the eliciting of shame would be democratically virtuous, it
remains unclear who is to do the eliciting, on exactly what grounds they are to do it, and
how, normatively speaking, they are to go about it. Acknowledging Lebron’s salutary
effort to shift focus away from impersonal power relations in analyzing structural
injustice to the personal question of institutional character, it remains unclear in the end
how his account relates to the actual, judgment-making persons, to use his phrase, by
whose actions, judgments, and valuations those institutions are shaped.

In chapter 2, I offer the conceptual equipment of prophetic normativity as
completing the bridge between theories of justice and the actual pursuit of real-world
justice by way of completing (1) moral philosophy’s trajectory toward concern with the
actual practice of interpersonal accountability, and (2) political theory’s trajectory toward
reflective normative engagement with actual individual persons. In Lebron’s terms, I
show that it is prophetic normativity which can make sense of and address our failure to
live up to our own principles, make sense of and address the problematic relationship
between our failures of principle and what we value, and make sense of and address how
we are to be brought, whether by shame or outrage, to the active pursuit of justice.
Grounding this turn to prophetic normativity is the moral-theoretical shift away from the
impersonal duties of agents considered in themselves toward the irreducibly personal and
relational responsibilities of individual persons considered in relation to persons. It is thus
not mere reflection but rather interpersonal conversation which animates the pursuit of
justice, and to join in the conversation of justice, I offer, is to take up the prophetic
mantle.
Chapter 2

The aim of this chapter is to explicate and corroborate the claim that there is a universal responsibility to prophetic action. My approach is first to imagine a series of conversational encounters between two persons, one committed to the redress of some injustice and one committed in principle to the realization of a just society but unmoved to action with regard to this injustice in particular. The question is not in the first place what an actual person of the one sort would, assuming a given cultural and relational context, have to do or say to actually persuade an actual person of the other sort – that I take to be a psychological, sociological, or anthropological question – though the feasibility of actual persuasion remains critical to my account. My question, rather, is in the first place a normative one: What is it reasonable for the one to say to the other, and what is it reasonable for the other to say in response? What ought one to say to the other, and what ought the other to say in response? What sorts of reasons, and what sorts of reasoning, in other words, does it take to traverse the chasm from apathetic complacency to concerned responsibility?

What emerges from this exercise is well-represented by the following cluster of propositions: (1) We take responsibility for those of our fellow persons suffering under injustice – and care for, respect, and value them as persons – insofar as we judge that they are indeed suffering under injustice and then seek their good in seeking redress for the injustice under which they suffer. (2) We are each responsible not only to those suffering but to every other person as such for seeking redress for the injustice under which any persons suffer. (3) We fail to meet that responsibility, and so are rightly held to account, where we fail to make our commitment manifest through the willing acceptance of some
measure cost, risk, and sacrifice in seeking redress for the injustice. (4) By manifestly
taking responsibility for injustice, we address a claim to others that they too ought to
judge that these persons are indeed suffering under injustice and so they too ought to seek
its redress. (5) Where those confronted with our claim fail to give it due consideration –
where they reject our claim out of hand – they are rejecting not only our claim but our
standing as persons, and we rightly hold them to account for that rejection. (6) Where
upon due consideration they accept our claim, they too will willingly accept cost, risk,
and sacrifice in pursuit of redress for the injustice, and so they too will address a claim to
others that they too ought to join us in our work. (7) Since it is always possible that our
fellow persons are suffering under injustice of which we are not aware, our responsibility
for our fellow persons requires that we cultivate an openness to such claims when
addressed to us by others, and that we cultivate a culture in which others are able to
address such claims to the public.

To address, through the manifest acceptance of cost, risk, and sacrifice in taking
responsibility for persons, a claim to others that they ought to join in taking this
responsibility is, I argue, to serve as a prophet.

Suppose, as is the case, that I am a citizen of a liberal-democratic polity wherein some
persons absorb the burdens of persistent structural injustice – injustice not causally
traceable to the discrete actions or omissions of any present individual, myself included –
and that I, while broadly conscientious and subscribed to the project of societal justice in
general, am either unaware of or unmoved by this fact. Now suppose that you, somehow
attuned to the realities of this injustice and committed to its eventual redress, aim to secure my support for your cause. Suppose, finally, that you can take my attention for granted, at least provisionally (perhaps I am curious about such things, or am a friend willing to humor your pet passion). How ought you to proceed?

It may not in itself be enough to impress upon me just how bleak the predicament of those suffering the alleged injustice really is. Such appeals may arouse my sympathy, compassion, or pity, but my capacities for beneficent action are limited, and assuming that it would involve a cost of some kind, I may reasonably, without further justification, decline to help in this case. Not every problem is my problem. “Ah,” many are inclined to respond here, “but it is your problem – it’s all of our problem, since it’s our fault: we, as a polity, did this.” This may well be true – take the effects of racial segregation in America, for example – and something like this, of course, is why the predicament at issue would, if it does, represent an injustice rather than a tragedy or misfortune. And yet I may well persist in my indifference, as, by stipulation, there was nothing I could have done or not done such that the outcome would have been any different – I am not guilty, and so I should not be held liable. This objection is all the more pointed where the injustice in question is rooted in events lying in the distant past.

I may resist the notion that the present predicament of these persons represents an injustice at all. I may do this on the substantive grounds that at this point in history it is their own failures of responsibility which properly explains their plight, an objection that is all the more pointed where the conduct of those allegedly oppressed really is demonstrably imperfect. Alternatively, I may simply fall back to a kind of noncommittal

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108 See Judith Shklar, *Faces of Injustice*.  
62
forensic agnosticism, claiming that while it may be unfortunate that these persons are disadvantaged, that this disadvantage constitutes an injustice is just one possible interpretation of the facts, and the burden of proof, after all, should rest on those demanding a shift from the status quo. Importantly, while the relative plausibility may vary, some version of this move will virtually always be available: Real-world realities are complex and ambiguous, bad-actors are often quite adept at obscuring their bad actions under veils of more or less plausible deniability, and most fundamentally, discerning that a given set of empirical facts falls under a given category, perhaps an objective matter in itself, will always require an act of subjective, personal apprehension, of judgment. Judgment is in act which I often may reasonably withhold – one for which I may demand justification before performing. And it is far from clear that the would-be result of that action can serve as such a justification; you may be certain that I would determine the facts to represent an injustice were I willing to make any determination at all, but that is not yet a reason for me. At this stage in our conversation, to persist in insisting that it really is our, let alone my, fault will, as Iris Marion Young stresses, only make me more defensive, and you are liable to lose your audience. And while you may judge me coldhearted in that case, it is indeed far from clear that you have succeeded in communicating to me a reason to expend any capital on what, so far as I can see, is simply an unfortunate reality, an object of what I take to be your fundamentally idiosyncratic concern.

Now suppose that we are strangers to each other, and while you have engineered an opportunity to speak to me, you will have to earn anything beyond my momentary

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attention. Where the injustice in question requires some sustained intellectual focus and empathic engagement to be appreciated as such, to win me over to your cause you will have to first persuade me to open my heart and mind to what you have to say. Here notions of fault, guilt, and liability are still less likely to secure any dialogical traction, as I may simply reject their salience out of hand. You cannot, in other words, take my guilt as a premise we share at the outset, and you hope to get beyond the outset. What can you say or do to substantiate a claim on my attention? Simply informing me that people are in need should win you a preliminary hearing, as I should recognize that, all things being equal, where I can alleviate pain and suffering, I should. But again, where the asserted suffering, the injustice asserted as the source of that suffering, and their relation to me and my capacities require labor to discern, it will demand a proportionally corresponding degree of labor to show me why I ought to expend that labor of discernment.

Now, if you are the purported sufferer, and you address a direct, second-personal claim to me for my concerned attention, your standing as a person may command my recognition of that claim as a matter of recognizing that standing. To sustain my indifference in refusing my attention to your suffering out of hand would be to reject the validity of your claim on me, which would be to reject your standing as a self-originating source of valid claims (Rawls) – that is, your standing as a person, rather than a thing.¹¹⁰ That I relate to you with the minimal degree of respect and consideration owed to you simply on account of your being a person, in other words, is inconsistent with my refusal

¹¹⁰ See John Rawls, “Kantian Constructivism in Moral Theory” in The Journal of Philosophy vol. LXXVII, no. 9 (September 1980), pp. 515-572. As he spells out the concept, to say that persons are self-originating sources of valid claims is to say that “their claims carry weight on their own without being derived from prior duties or obligations owed to society or to other persons, or, finally, as derived from, or assigned to, their particular social roles” (ibid, 543).
out of hand to so much as consider your claim on my concern for what you say is your suffering under injustice, and should I do so you would rightly blame me, hold me to account, for that refusal. The very least I owe you is a reasonable hearing. In recognizing your claim, on the other hand, I recognize that I am responsible to you for my response or failure thereof, that I am rightly held to account by you for how I do or do not respond to your claim. I may, however, reject your claim on other grounds, and so reject it in practice but not in principle – not out of hand. I may do this reasonably when, for instance, I reasonably regard your claim on my attention as manipulative or otherwise inauthentic – that is, if I reasonably judge that what you are after in demanding my concerned attention to your purported plight is something other than my concerned attention to your plight (perhaps you aim to distract me so as to steal my wallet, or to enchant me so as to win public office). The fact as to what lies in the depths of your soul, if there is any such fact, is not accessible to me, at least not directly. What I can observe, however partially and fallibly, is the extent to which your conduct in word and deed is such as to make publicly manifest your concern for my concern – the extent, in other words, to which your conduct, in word and deed, is well interpreted as inconsistent with your not caring as to whether I care.

For your conduct to be to some degree manifestly inconsistent with your not so caring is for you to some degree to manifestly accept cost, risk, and sacrifice, to court vulnerability, in advancing your claim. (That you do stand to gain if and insofar as I am indeed swayed to help you is no objection against a positive judgment as to your authenticity here, as the authenticity in question just is the authenticity of your concern for my recognition of your claim on my concern.) As already indicated, it is important
that authenticity in this sense is not an all-or-nothing proposition but rather comes in degrees— it is exhibited to some or another extent. Correspondingly, it is plausible that the degree of consideration owed in response, as measured in terms of the cost to be expended in meeting the responsibility for consideration, will vary in proportion to the degree of authenticity made manifest in a given case. Someone I have good reason to believe is trying to swindle me may be owed only the briefest and most casual of hearings, whereas someone I merely suspect of pulling my leg may rightly hold me to account for allotting more time and effort, albeit less than someone I have every reason to believe is fully on the up and up. In general, however, given the vagaries and inherent vulnerabilities of person-to-person encounters, and especially of pleas for help, direct personal engagement on the part of the purportedly aggrieved will as a matter of fact indeed most often substantiate meaningful if provisional claims on my attention. Where someone addresses to me a plea for aid regarding what they say is their unjust plight, in other words, it will rarely if ever be consistent with my respecting them as persons to simply refuse out of hand to engage them on the issue.

What if you are not yourself a sufferer of the purported injustice to which you aim to bring my attention? Your making a direct, second-personal claim on my concern may indeed substantiate a claim on my attention to injustice purportedly suffered by even third-party others. You, having granted your concerned attention to the matter, have discerned, made the judgment, that these persons are indeed suffering an injustice demanding our attention. Now, insofar as you manifestly, willingly assume some manner
of sacrifice in addressing a claim to me for my attention to this purported injustice, you
make manifest the authenticity of your concern to redress it – to seek its eventual redress,
after all, is why you seek, despite the sacrifice required, to win my support – and thereby
of your authentic concern for those suffering under it, as it is that concern which explains
why you seek to redress the injustice under which they suffer. You likewise make
manifest that you not only care about this, but care that others care: It is not only that
those suffering under the purported injustice matter to you, but that they matter, and
matter as persons, full stop. And so, you claim, they ought to matter to me as well.

Critically, your addressing this claim to me as such is not fundamentally a matter
of the spoken word. Kant held such claims are implicit in the structure of valuation itself:

He [someone declaring an object beautiful] judges not merely for himself, but
for everyone…Hence he says that the thing is beautiful, and does not count on
the agreement of others with his judgment of satisfaction because he has
frequently found them to be agreeable with his own, but rather demands it from
them. He rebukes them if they judge otherwise, and denies that they have taste,
though he nevertheless requires that they ought to have it.111

It is true, Kant zealously notes elsewhere in the third critique, that judgments as to an
object’s agreeableness to us – that an apple tastes nice, for instance, or that a landscape is

111 Immanuel Kant, *Critique of the Power of Judgment*, transl. Paul Guyer and Eric Mathews (New York:
Cambridge University Press, 2000), 98. Kant is speaking here specifically aesthetic valuation and does not
himself apply this structure in the moral and political realms. To the extent my elaboration is successful,
however, I will have made independently plausible that this structure holds with regards to moral and
political judgments as well.
lovely to gaze out upon – do not entail any such claim to universality. That I find a
certain species of apple tastes quite nice is entirely consistent with your finding it entirely
too tart, and there is no fact of the matter as to whether or not it really does taste nice –
we can, with full intellectual and moral probity, simply agree to disagree. But this is not
the case, Kant argues, with regard to judgments of beauty: In judging a work of art
beautiful, he says, I judge “for everyone,” and so were you to deny its beauty your denial
would indeed be inconsistent with my judgment. Judgments of beauty claim universal
validity, not in the descriptive sense that they are actually shared by all persons – this will
often be an empirical falsehood – but in the normative sense of being such that all
persons should share them because they are in fact valid, full stop. Where you judge that
a given object is beautiful, therefore, you judge that I too ought to judge the object
beautiful, which is to say, Kant holds, that you demand of me that I so judge, and rebuke
me, hold me to account, if I do not. Again, Kant is careful to clarify that he does not
intend this descriptively, as it simply is not the case that just by judging an object
beautiful you thereby articulate a demand to me. The claim, rather, is that this demand is
intrinsic to the structure of value judgments as such – that it would be incoherent for you
to both claim that an object is beautiful and claim indifference as to whether or not I
share that judgment. In making the judgment that the object is beautiful, therefore, you
make the further judgment that I ought to share that judgment. Where and insofar as I am
aware of your judgment as to the object’s beauty, therefore, whether or not you have said
anything at all, I find myself addressed with the claim that I ought to accept it. “One can
produce a demand precisely by judging for oneself, by exhibiting what it is to be so
absorbed by beauty,” Eli Friedlander writes. “A demand can arise, say, by expressing oneself in ways that are demanding.”

If and insofar as this claim enjoys authority over me, that authority does not belong to you as the particular individual you are. It is not, in other words, as if you addressed me with an order or command grounded merely in your relative social station or your superior capacity to impose your whims and fancies upon others. This flows from the nature of the assent demanded: What the claim upon me says is not merely that I ought to find or declare the object idiosyncratically pleasing to me but that I ought to judge that the object is beautiful, which is to say that I ought to demand of all others, yourself included, that they too judge the object beautiful. The authority you arrogate to yourself in addressing a claim to me is thus an authority my own holding of which is affirmed precisely through your claim. It is in fact my holding of this authority on which your claim is predicated, as this authority simply is the authority to judge that an object is beautiful, and it is nothing else than to judge that this object is beautiful that your claim demands of me. In the context of the broader set of entities in the universe, that I enjoy this authority is hardly a given – neither pebbles nor armadillos enjoy it, to take two examples. To say that I enjoy it is to say that I am indeed a very special form of thing, or better, that I am not a thing but a person. It is thus not as your particular self, but as a person as such, that you address your claim to me for my assent to your judgment, and it is as a person as such that I accept or reject it. “You are a person, same as I” you say to me, “and hence can, and should, judge as I do that this beautiful object is beautiful.” Your claim on me, in other words, is for me to affirm my participation in a form of community

grounded in the reciprocal accountability of each to all, not least, intriguingly, of myself to myself: As a participant to this community, I have both the authority and the responsibility to hold myself accountable for my participation. I, as a person-as-such and so as a representative of the community, can and ought to call myself as the particular, often-fickle person I am to the judgment and attendant responsibilities in question. It is precisely this form of accountability of myself to myself to which your claim calls me.

Being a matter of personal realities and relations, whether or not you do in fact judge that the object is beautiful, rather than merely finding it idiosyncratically pleasing to yourself, will by nature not be determinable through impersonally objective investigation. Even your explicit proclamation of your purported judgment will not in itself be dispositive, as making such a proclamation is consistent, objectively speaking, with various forms of gain-seeking dissimulation. And precisely because the claim you seek to make is grounded in a structure of reciprocal accountability rather than your own unilateral power, to make your claim clear in this way is to make clear that you judge yourself accountable to me for your judgment. Where you do not make the authenticity of your own conviction clear, should you in any case address a demand to me for my assent, I have reason to judge that your demand is like that of the sergeant to her soldiers and thus presumes a form of hierarchical authority over me which I rightly reject. Insofar as you are to make this claim upon me, therefore, you have a responsibility to me to make clear the authenticity of your own conviction.

Grounds for the judgment to as to the authenticity of your conviction can indeed be made available. Where you do convey your judgment to me directly in as many words, you may expend some form of cost in conveying the message, even if only in the
currency of personal vulnerability, laying your soul bare and open to rejection, and may otherwise make clear that you have no vested interest in the matter other than your interest in my shared judgment as such. More generally, you may conduct yourself in a manner consistent with your purported conviction as to the object’s genuine beauty. You may, for instance, invest in forms of custodianship, contributing your time or capital to the object’s upkeep, supporting outreach and educational efforts to ensure the object’s beauty enjoys the appreciation it deserves, and so on. Where and to the extent I see your conducting yourself in this way, whether or not you ever say anything to me at all, I will to that extent be confronted with the judgment as to the object’s beauty and so confronted with a call to participation in the community of reciprocal accountability adopting that judgment entails. I may heed your call, exercise my own powers of judgment in determining that the object is indeed beautiful, and so join you in calling, on behalf of the community, each and all to join us in affirming the object’s beauty. I may, however, resist your claim, whether on the grounds that it is your claim (perhaps you belong to a lower social caste than I), on the grounds of my reasoned disagreement with your judgment in this case, or on the grounds that I reject the interpersonal validity of aesthetic judgments as such (perhaps I maintain that they never amount to more than idiosyncratic taste). You and your claim challenge me regarding each of these grounds: If I indeed ought to adopt your judgment that the object is beautiful, it follows that I ought to adopt the judgment that aesthetic judgments can be interpersonally valid, and it follows that I ought to judge that you are yourself capable of such judgments and so that you participate in the communal authority to address claims on others for their assent to those judgments.
Regardless of the force with which you address your claim, I may upon consideration reject it, judging your bizarre devotion to a piece of kitsch to be normatively irrelevant in determining my own judgments and conduct regarding the object in question. That this can be a normatively adequate response to your claim follows from the nature of your claim as predicated on respect for my own capacity and responsibility for judgment and not on any authority of yours to determine my will straight away; the responsibility I have is thus for lending your judgment due consideration and so for adopting your judgment if upon due consideration I see it to be correct (my consideration would not be “due” were I not prepared to adopt the judgment). Because this is a matter of relational responsibility rather than monadic duty, where upon due consideration I indeed reject your judgment, I may still have the further responsibility to you to make clear that I indeed gave your claim due consideration – I am accountable to you, and though I may have done no wrong, I have yet to offer you an accounting. (To take a mundane analogy, consider a case where I fail to show up to our long-anticipated lunch date on account of my sudden opportunity to save an endangered life. Justified though my absence was, I may rightly feel I ought to make amends, or at least explain to you what happened.) To offer such an accounting would be for me to make clear that while I do not judge this object to be beautiful, I am authentically concerned with the project of aesthetic judgment generally, with the aesthetic judgment of this object in particular, and with your standing as a participant to the communal authority, grounded in a structure of reciprocal accountability, to make aesthetic judgments and the claims such judgments entail.
Where possible, the best way to make this clear will be precisely to engage you in conversation on the question, addressing a claim to you to adopt my judgment while at the least making clear to you that you have been duly heard. In some cases there will be a good deal of conceptually articulable content to the debate, such that I can demonstrate my consideration of your view by expending time and effort and courting vulnerability in responding to your actual arguments and reformulating my own arguments so as to be responsive to yours. Since aesthetic judgments are irreducibly personal and subjectivity-implicating in character, however, debates regarding aesthetic judgments cannot be settled by appeal to impersonally graspable criteria alone and so will in the end always come down to which of the disputants can most compellingly exhibit their conviction in and commitment to their own judgment: I address my claim to you, you address yours to me, and perhaps one of us comes thereby to see, duly consider, and then accept the other’s. Even where we each remain steadfast in our respective views, we will have succeeded normatively in the project of exchange to the extent to which we make clear our commitment to the structures of community and reciprocal accountability intrinsic to the pursuit of aesthetic judgment as such.

Returning to your bid for my attention to injustice, in demanding my attention to what you say I ought to see as an injustice, you address a claim to me demanding that I join you in your concern for these persons. Given the state of my knowledge, this should require that I at least consider the possibility that what you have to say about the injustice they suffer is true, and so at least consider that I ought to take action in seeking its redress for their sake. Insofar as you succeed in making manifest that you care and that you thus care that I care, my refusal to consider your case for why I ought to care too would
amount to a rejection of your standing as a self-originating source of valid claims. Again, that is not to say that respecting your personhood requires that I accept your case, whatever its merits – for you to demand that would be for you to reject my standing as a person. And where I judge your case to be not only wrong but clearly wrong – say you are passionately committed to comprehensive white supremacy and seek my company in that commitment – respecting your status as a person may be compatible with lending your case only the most minimal attention. What I may not do is reject your case out of hand, as if I owed you no consideration for your case. I am, in other words, accountable to you for my concern for those for whom you are concerned.

Suppose that you have succeeded in substantiating an at least provisional claim on my concern. On a normative level, what follows from this? In respecting your claim on my concern for the persons you say are suffering under injustice – in respecting your claim that these persons and their suffering matter – I ought to be willing to expend effort in seeking to ascertain whether these persons are indeed so suffering, and if so, whether I ought to take action in response. Where I had been simply indifferent, passive, I now find myself called by you to take an active interest in the issue. That I do not as of yet judge that the facts in question constitute an injustice is of no consequence at this stage, as coming to share your concern for the persons in question will mean that I have reason to expend effort in answering the as-yet unanswered question as to whether or not the purported injustice is indeed an injustice; that I do not as of yet see myself as liable or at
fault is of no consequence at this stage, as caring about these persons gives me reason to explore the matter in any case; that I do not as of yet see what it is I am supposed to do to redress the purported injustice is of no consequence at this stage, as caring about these persons gives me reasons to explore what as a matter of fact I might be able to do. What you have done in working, at some net personal cost to yourself, to spread the word about these persons’ plight is to honor your responsibility to those persons in taking responsibility for seeking their good. In addressing a claim to me for my concern, you demand of me that I (1) recognize the standing of these persons as persons and so (2) recognize my responsibility to them for my responses to their claims, and then (3) take responsibility myself for seeking their good, and therefore for redressing the injustice under which they purportedly suffer, should it indeed be the case that they suffer under the purported injustice. In recognizing your claim, I recognize that I am responsible to you for my responsibility to them, and in taking responsibility for them I take responsibility for respecting your standing as a person by way of respecting your claim upon me.

Recognizing this network of responsibilities, I now ask, what is it exactly that you are asking me to do to fulfill them? It is important that responsibility for others does not in general require any concrete action in particular. My responsibility for my son, you remind me, does not require that I provide him this food or that in this way or that, but that I act so as to see to it that, among many other things, he is well fed. It is also to act so as to see to it that he is well-clothed, and well-schooled, and well-loved, and that a fundamentally open-ended set of related, open-textured ends are well pursued. The organizing principle, plausibly, is that I am responsible for seeking his good, whatever I
judge that to entail under the circumstances. How much do I have to do to satisfy this responsibility? It is tempting to say that I must at the least guarantee some minimal threshold levels of subsistence, health, and competitive advantage, but such a rule would have the questionable implication that all fathers under sufficiently dire conditions are transgressors of their parental responsibilities. What matters, rather, is whether I expend an appropriate amount of time, effort, and capital in appropriate ways toward the end of my seeking my son’s good. What is that amount? It is the amount through which it is clear that I care for my son, or, better, as there does not seem to be any difference between a biological and adopted child in this regard, the amount through which it is clear that I care for this highly dependent person whose wellbeing is now squarely within my sphere of agential control. Whatever that amount is, there will always be more I can and should do – responsibility is infinite (Levinas) in this sense. But there is a categorical difference between taking some responsibility and taking none, between caring and not caring at all.

Responsibility can require more of me than that I provide adequately for my son. Where my care for him, my efforts to seek his good, are less than clearly, visibly manifest, my son may rightly hold me to account, blame me, for my apparent shortcoming of responsibility. I thus have a responsibility to him to make clear my judgment that he matters by seeking his good in a manner inconsistent with my failure to judge that he matters, and this a responsibility I have in this case yet to meet. Critically, it is not only my son to whom my responsibility for my son is owed – that is, who my responsibility for my son is to, as in the CEO’s responsibility for maintaining the company’s trading value being not to the trading value but to the firm’s shareholders –
but also my spouse, our own parents, his other invested caretakers, his friends. Still further, anyone attuned to and moved by my apparent shortcoming in caring for my son may address a direct claim to me on my responsibility for my child, a claim which, all things being equal and to the extent that it is recognizable as such, I am responsible for respecting.\textsuperscript{113} If my son matters, full stop, then the class of persons to whom he may come to matter – and to whom he ought to matter – just is the class of persons in general, as the implied claim to universal validity is intrinsic to mattering as such. What this means is that I am in principle responsible for caring my son in such a way as to make clear to all concerned that I care for my son; what this means is that I must conduct myself in a manner manifestly inconsistent with not caring for my son, which is to say I must clearly, willingly accept net personal sacrifice in seeking my son’s good.

This, you might now tell me, is what I am responsible for doing in response to the structural injustice to which I am now attuned: to conduct myself in word and deed in a manner manifestly inconsistent with my not caring for the persons suffering under the injustice, which is to say that I am responsible for clearly, willingly accepting net personal sacrifice in seeking their good. And to the extent that I participate in the social structures underlying the injustice and the historical collectivities collectively perpetrating it through time, the question as to whether I care will be correspondingly pressing and salient, and I will have a correspondingly greater responsibility to make my concern clear. Whether or not a faraway stranger’s son matters to me, as indeed he should, is often not a salient question for anyone to ask, since it is plausible that my

\textsuperscript{113} That there are good reasons for the moral community to centralize this oversight function in circumscribed, well-regulated agencies means that where private individuals offer unsolicited advice, all is often not equal.
conduct would not meaningfully vary between realities in which I authentically cared about him and in which I did not. Since there is no particular reason to ask the question, there is no particular reason for me to offer an account in response. Suppose, however, that through no discernable fault or shortcoming of my own, a stranger’s child is struck on the road by my lorry. And suppose further that just as there was nothing I could have done to avoid the tragedy (even had I forsaken my lorry-driver career, the role would have been filled by another driver no more cautious than I), there is nothing I can do now to reverse the tragedy. To take the arguably rational line that my responsibilities are thus simply exhausted, Williams notes, is surely insane.\textsuperscript{114} I clearly must do \textit{something} in response, however merely symbolic it need be. And this is so even where the child struck has no known surviving family, friends, or particular community. I owe it to all those who do or may come to know what happened at my hand to not only grieve but make clear my grief over its happening. I would clearly fall short of this responsibility if, for instance, following the accident I were to push my way through the gathered spectators, blandly telling them that as I now have the day off I may as well catch the matinee. Just so, I owe it to \textit{myself} to make clear that I care, which is why I would have reasonable concerns about my moral personality were I to find myself numb to the tragedy.

Notice, though, that I would not have these responsibilities to the same degree were I a passenger in the lorry rather than the driver; I still could not reasonably get away with heading off to the matinee, but I need not make quite so affirmative a showing of grief as the driver. The degree is still less for a mere spectator, and while it may still be appropriate for a local resident who was not present at the event to nonetheless attend the

memorial service, the extent of their responsibility is still less than that of a passenger in
the vehicle. Now, given that, per hypothesis, the driver was in no way at fault, the
differing degrees of responsibility in these cases is not a function of the degree of fault
but simply to the degree of *implication* – the more closely implicated I am, the more
reason to ask whether I really care, the more responsibility I have to make clear that I
care. Returning to our case of injustice: The more implicated I am in the systems
underlying the injustice, the more reason to ask whether those suffering the injustice
really do matter to me, the more responsibility I have to make clear, to myself and to
others, that I share the judgment that those suffering the injustice really do matter, full
stop. To do this, you remind me, is to accept some measure of sacrifice in seeking redress
for the injustice under which they suffer. For, if these persons truly do matter, how can I
remain silent?

But what is it, I may ask, that I am supposed to do to seek the good of those
suffering the injustice, given that it is in no way a function of my actions or omissions?
Where there is a policy proposal, or candidate for office supporting a policy proposal,
that would right the wrongs in question, it is straightforward to say that my responsibility
for seeking these persons’ good gives me reason to support the proposal or candidate,
even at cost to my other interests. But there may well be no such proposal or candidate,
and it may well be beyond my or anyone’s present grasp to see what such a proposal –
one that really would make meaningful progress in righting the wrong – would be. The
fact that there is no proposal to vote for at present, however, does not mean that there
would not be a proposal were there to be demand for office-holders to advance one, or
even if there were simply less cost threatened, however tacitly, by the powers-that-be
against those who would do attempt it. (Think, for instance, of the costs threatened to one’s electoral prospects in the United States should one campaign on meaningfully improving accountability for police violence: At present, one’s candidacy would be swiftly scuttled by charges, blared on television ads, direct mailings, billboards, Facebook ads, and both radio and cable-tv talk shows of being “soft on crime” and generally anti-police – and all of this is readily predictable in advance, functioning thus as a standing threat against any such campaign. Those imposing such threats, however, can in principle be brought to stand down – costs, in the form of public concern issuing in public pressure, can be threatened against the imposition of such threats, for instance – with the effect of opening the field for creative advocacy on the issue.) And the fact that I cannot at present discern what a proposal for meaningful progress would be, or even the fact that no one has discerned such a proposal thus far, does not mean that no proposal could be found were we to care enough about, take responsibility for, discerning one. Experts can be engaged, new voices can be brought to bear, rewards for investment and ingenuity offered. What makes the difference between passive inertia and responding effectively to society-wide structural injustice is a society-wide, structural economy of concern and responsibility-taking. Since that economy is ultimately a function of the complexly networked concern and responsibility-taking of individual persons, individual persons are responsible for doing their part, however small that part is.

What must I do to do my part in – that is, fulfill my responsibility to you and the community of the concerned you represent – righting the societal economy of concern and responsibility? I must, at a minimum, go to some degree out of my way to clearly, willingly accepting net personal sacrifice in seeking, in light of the injustice, the good of
the persons suffering the injustice. My seeking of these persons’ good in this case consists in my contribution to the societal economy of concern and responsibility, and my meeting my responsibility to those persons’ and to the community of those concerned about them is already necessarily a public matter. How much net personal sacrifice I accept will depend on the balance of the various forms of capital I can be seen to expect to gain or lose – the esteem or derision of my peers, the promise of public office or the threat of denial of public office, money spent on gas, tolls, and placard materials or money gained through winning a larger, more adoring audience, and so on – in making my concern publicly manifest in the manner I choose. The point is that I am responsible for seeking to make manifest my concern in such a way and to such a degree as to be putting something on the line – pushing one step further, speaking out just a bit more forcefully, giving one more dollar or hour, than would represent the course of least resistance. And to the extent to which I plausibly stand to gain from the activity as well (perhaps the activity will look good on my CV), to that extent it will require greater sacrifice in order to make my concern manifest. There will always be more I can and should put on the line, but again, there is a clear and categorical difference between nothing and something.

Two clarifications are in order. First, it is not that I should seek sacrifice for sacrifice’s sake. There may be cases where increased suffering in itself does contribute to the cause of justice, as in where it is presented as a form of protest. Hunger strikes work this way, for instance. But where either of two courses of action would secure the same level of good for the persons whose good I seek but one involves a greater level of sacrifice, the greater sacrifice promised provides no reason to choose that course: Even if
the goal is to make manifest my concern for the persons suffering under injustice, that
goal is served by the assumption of sacrifice in pursuit of those persons’ good, but it is
not served by the assumption of sacrifice in itself. The second clarification is that while I
do have a responsibility to make my concern for injustice publicly manifest, my
responsibility to pursue injustice’s redress is lexically prior: Where a private course of
action will, all told, prove more effective in the pursuit of justice than a public course of
action, I have a responsibility to choose the private course. To prioritize the publicity of
my concern over seeking the good of those suffering under injustice would be
inconsistent with the authenticity of my concern, as if these persons truly matter, and
matter to me, I would surely choose that course of action which best serves to secure their
good in redressing the injustice under which they suffer.

Publicity is critical to the cause of justice, however. Where I do succeed in
making my own concern manifest, I contribute more than my own concern to the
society’s evaluative economy, as I address a claim to others to join me in the cause. This
may, as was the case with your efforts to win me over, take the form of explicit calls for
concern addressed to individuals or groups thereof and supplemented where necessary
with dialogue aimed at facilitating those individuals’ personal conversions to the right
path. But it need not: Since meeting my responsibility to others for seeking the good of
the suffering requires in principle that my concern be publicly visible, and since this
responsibility is owed by all members of the community of the concerned to all members
of the community of the concerned, anyone who does see my conduct in this regard will
find themselves confronted with a claim demanding that, insofar as they belong to the
community of the concerned, they must themselves meet this responsibility. And they
may, I may hope, find themselves incapable of rejecting their membership in the community of the concerned. Whether or not I proclaim anything to anyone, in conducting myself in a manner reasonably legible as animated by authentic concern I confront all those who encounter my conduct with a view of the world on which the persons suffering the injustice matter to a degree inconsistent with further indifference and passivity with respect to seeking that injustice’s redress. I thus confront them with a demand to join me in taking responsibility for justice.

This work of confrontation, I suggest, is what Heschel calls *prophecy*. But the work does not commence with confrontation. The prophet, Heschel says, is someone who excels in the discernment of oppression – “the prophet’s ears perceives the silent sigh”\(^\text{115}\) – and in the richness and sheer magnitude of empathically suffering its toll:

To us a single act of injustice – cheating in business, exploitation of the poor – is slight; to the prophets, a disaster. To us injustice is injurious to the welfare of the poor; to the prophets it is a deathblow to existence; to us, an episode; to them, a catastrophe, a threat to the world…The prophet is a man who feels fiercely. God has thrust a burden upon his soul, and he is bowed and stunned at man’s fierce greed. Frightful is the agony of man.\(^\text{116}\)

\(^{115}\) Abraham Joshua Heschel, *The Prophets*, 11.
\(^{116}\) Idem, 4.
The prophet is not in the first place one who glimpses divine mysteries, grasps supernal secrets, but simply someone who judges the state of a corrupt worldly society for what it is and cares deeply, compulsively for those society has failed to give their due. The burden of this judgment is not that these persons and their plight matter to the prophet, but that they matter, full stop. Thus the prophet does not speak for herself, in her own name. She speaks, rather, for and in the name of the Lord of all. Or further, as Wolterstorff argues, the prophet’s speech purports to be not only a recounting of God’s speech but God’s speech as such. The first-order content of that speech is that God judges some set of facts as unjust and so is distraught, torn, crushed, aflame with passionate concern for his beloved children, his piercing pain at their plight, and hence searing rage against those at whose hands they suffer. The ‘word’ the prophet hears just is God’s pathos, God’s deep, deeply personal concern for humanity encountering the devastating facts of some human persons’ treatment of other human persons. The assertion of that word is the assertion that God cares.

But it is no less essential that the prophet herself care. For how is it that the prophet communicates the fact of purportedly divine concern? What grounds might she offer for distinguishing their claims to divine knowledge from those of your everyday charlatan or crackpot? She could offer arguments for the propositions she alleges God has revealed through her, but these will either be good arguments, in which case God will be rendered gratuitous to the epistemic calculus, or bad arguments, in which case they will not serve the end toward which they are marshalled. Might she offer evidence that God really has spoken to her? Even without the usual Humean considerations, it is hard to see

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how this will be convincing, especially when the stakes are high. She may present miraculous signs and wonders as corroboration – “Could a false prophet do this?” – but it simply is not the case that for any X, if X performs a sign or wonder then X is a true prophet: necromancers, soothsayers, other charlatans, and Penn Jillette work wonders too, and as the Bible itself notes, God may have reason to facilitate miracle-working on the part of false prophets (Deut 13). This highlights a perhaps more fundamental point, which is that there simply is no direct, organic connection between a given miracle worked by a prophet and a particular message that prophet conveys. As Joseph Albo, elaborating a Maimonidean argument, puts it, “One is not called a prophet unless his mission is verified directly…not by foretelling the future or performance of miracles.”\(^{119}\)

What we might ask, though, is why a given person would go through the trouble of claiming to speak God’s word. Is it for the money, fame, power, access? It may be: James Baldwin remembers from his days as a youth preacher in Harlem just how easy it was to leverage self-professed apostleship toward the acquisition of “house and Cadillacs while the faithful continue to scrub floors and drop their dimes and quarters and dollars into the plate.”\(^{120}\) And even where material rewards are out of the equation, there is still the warm glow of adoration and the thrill of holding authority over fellow persons. In short, it can be quite good to be a prophet, and where and to the extent that is the case it will be reasonable to interpret the prophet’s claim to revelation as expressing not the truth of that claim but the allure of making it. Where the costs to the purported prophet are seen to outweigh the benefits, however, it may become reasonable to interpret their prophetic claim as authentic. Credible prophecy, I suggest, requires cost, sacrifice, risk.

\(^{120}\) Baldwin, *The Fire Next Time*, 39.
In the Bible there are true and false prophets, and it is no accident that the false are always aligned with the powers that be, preaching enthused reassurance in favor of those powers’ ways. The word of the true prophet, Jeremiah says, is the word of God, and the word of God is “like fire…like a hammer that shatters rock” (Jeremiah 23:29). It follows that a prophet who supports and massages rather than shatter the rock is assuredly no prophet of God’s:

Thus said the Lord of Hosts: Do not listen to the words of the prophets who prophesy to you. They are deluding you, the prophecies they speak are from their own minds, not from the mouth of the Lord. They declare to men who despise Me: The Lord has said: “All shall be well with you”; and to all who follow their willful hearts they say: “No evil shall befall you.” But he who has stood in the council of the Lord, and seen, and heard His word — he who has listened to His word must obey. Lo, the storm of the Lord goes forth in fury, a whirling storm, it shall whirl down upon the heads of the wicked. The anger of the Lord shall not turn back till it has fulfilled and completed His purposes. In the days to come You shall clearly perceive it.

True prophets tell the powerful what they do not want to hear, which means that true prophets are, as a rule, persecuted quite severely. Jeremiah, for his part, is humiliated, imprisoned, and abused; Zekharia is killed; Amos is accused of effective treason and threatened none too subtly by the prophets of the court; Jezebel kills every prophet she can find. A solitary life on the run, the vicious scorn of the very countrymen one has
sacrificed themselves to save, and the perpetual threat of violence as recompense for their words is the lot of the biblical prophet. And here we can properly ask: Would, could, a false prophet do that? “This is the secret of the prophet’s style,” Heschel remarks: “his life and his soul are at stake in what he says and in what is going to happen to what he says.”

It is thus not that through the prophet’s words we are to learn that God said or commanded this or that — the kind of information we could in principle discover through impersonal means — but that in confronting the prophet’s example we ourselves are to perceive the reality of God’s concern, a concern which points beyond itself to the judgment that this injustice demands concern on the part of all persons. This communicatory relation between the prophet and us reproduces that between the prophet and God, as what God offers the prophet is likewise not access to impersonal information but rather to the reality of God’s pathos. God’s life and soul are at stake, as it were, in what God communicates to the prophet, and it is that that the prophet is brought to see: “To the prophet, the pathos is the predominant and staggering aspect in what he encounters.” The mechanics are important: The prophet, for Heschel, is to achieve not only empathy, wherein one is aware of another’s emotional state, but sympathy, in sharing, living with, God’s pathos: “The prophet is stirred by an intimate concern for the divine concern…The prophet not only hears and apprehends the divine pathos; he is convulsed by it to the depths of his soul.”

God, convulsed to the depths of God’s soul because God’s children are suffering injustice at the hands of their fellow children, cannot remain indifferent or passive, and so cries out to the prophet. The prophet feels

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122 Ibid, 394.
both her own sympathy for God’s anguished concern and sympathetically shares with God a numerically singular anguished concern – God and the prophet form an integral community of feeling.\textsuperscript{123} The prophet thus finds herself like God unable to remain indifferent or passive, and she is thus moved to take responsibility for the injustice by calling others to share her and God’s concern its seeking redress for the suffering. It follows that the prophet is, must be, not only a messenger but a witness: “The prophet not only conveys, he reveals.”\textsuperscript{124} What the prophet reveals is in the first place (1) the fact of God’s concern for injustice and those suffering under it, (2) the prophet’s sympathetic concern for God’s concern, and (3) the fact of the prophet’s sharing that concern with God. The prophet reveals this through the willing acceptance of cost, risk, and sacrifice in the cause of justice, conducting her life in a manner such as to deny interpretation otherwise than as a manifestation of authentic concern.

Where prophecy is successful, therefore, the prophet personally invites us into, confronts us with, a view of the world on which injustice, and this injustice, matter, full stop. In doing so she addresses a claim to us, holds us to account, for our participation in the “beloved community”\textsuperscript{125} – the community of the concerned. We may upon due consideration reject that claim, concluding that the prophet is simply insane or perverse (perhaps she is calling us to concern over the injustice of refusing world domination to the Nazis). To simply reject her claim out of hand, however, would be to reject her – and God’s – standing as self-originating sources of valid claims, and they would rightly hold

\textsuperscript{123} In Max Scheler’s jargon, “They feel it together, in the sense that they feel and experience in common, not only the self-same value-situation, but also the same keenness of emotion in regard to it ” (Scheler, The Nature of Sympathy).
\textsuperscript{124} Heschel, The Prophets, 2.
\textsuperscript{125} For a rich conceptual elaboration of the concept through historical examples, see Charles Marsh, The Beloved Community: How Faith Shapes Social Justice from the Civil Rights Movement to Today (New York: Basic Books, 2005).
us to account for that rejection. And insofar as we persist in our failure to take responsibility for the proactive redress of the injustice on behalf of the suffering, God and the prophet rightly hold us to account for that failure. Since our responsibility for the suffering is to others, including God and the prophet, we fall short of that responsibility insofar as our concern for the suffering is not made publicly manifest, as we owe an accounting we have yet to offer. We must, therefore, be ready to accept cost, risk, and sacrifice in the cause of justice such as to conduct ourselves in a manner manifestly inconsistent with our not caring about that cause. And that is to say that we are responsible to the prophet for serving as a prophet.

Return to our conversation. In calling my attention to the injustice, you have engaged in prophetic political action, addressing a claim to me for me to join you in taking responsibility for the injustice. I heed that claim insofar as I serve as a prophet myself, calling others to join us in seeing that this injustice matters and so taking responsibility for its redress. If our judgment is correct – the facts we judge to be an injustice are indeed an injustice, and that injustice really does matter, full stop – then it follows that every individual person as such ought to join us in taking responsibility for its redress, and this will be so even where they do not yet know this. Suppose, for example, that, unbeknownst to me, my son is in need of new shoes. Since I am responsible for my son, I may, my ignorance notwithstanding, be rightly held to account, blamed, for my son’s lack of adequate footwear: If my son’s footwear is inadequate, I have a responsibility to come to know that his footwear is inadequate. This is because my responsibility is not for
the footwear as such but for my son, and for making manifest my concern for him in seeking his good.

This requires not only meeting any given fixed set of bottom-line obligations but proactive solicitousness for his needs, as it is inconsistent with my caring for my son for me to neglect the attention requisite to ensure that I will be appraised of his needs if and when they will occur. To meet this responsibility will thus require a regimen of investigative procedures – periodic engagement with my son with an eye to his present wellbeing, regular communication with my son and his other caregivers, and so on – along with appropriate safeguards in case of investigatory oversight. At the least, even where my capacities for direct investigation are limited, I have a responsibility to lend considerable credence and weight to any apparently concerned interventions by or on behalf of my son with respect to his welfare. And since, given the potential for oversight on my part, such interventions can serve a critical role in facilitating my fulfillment of my responsibility, I have a responsibility to encourage, facilitate, and seek out such interventions. Correspondingly, I have a responsibility to regard with considerable suspicion any interventions, even on the part of my son himself (perhaps he is shy and reluctant to impose upon me for new footwear, or perhaps he holds inaccurate notions as to the bearing of his present footwear on his welfare), which if accepted would lessen my burden in seeking his welfare.

With respect to a given societal injustice, my responsibility to serve as a prophet in seeking redress for that injustice is not contingent upon my good fortune in having been confronted on this score through your prophetic political action. The responsibility to which you call me, rather, is precisely one which, my ignorance notwithstanding, I
already had, and, in failing to seek the redress of the injustice, a responsibility which I had yet to fulfill. Where I do not yet know of a given injustice, therefore, I have a responsibility to come to know of that injustice, and so I have a standing responsibility to investigate whether and how the society in which I participate perpetrates injustice against its persons. And since the realities of societal injustice far outstrip my capacity to discern them on my own, I have a responsibility to be not only receptive to but actively solicitous of reports of injustice addressed to me by others. I have a responsibility, in other words, to heed the words of prophets, and so I have a responsibility to ensure that I hear their words in the first place.

Because prophecy makes claims on us, however, and because the fulfillment of that claim entails the acceptance of cost, we are disposed to resist so much as hearing the prophetic word, not only in given cases but in general – we are disposed, that is, to ensure that prophetic claims cannot reach their ears. The simplest method to this end is murder: Neither Martin Luther King Jr., Zacharias son of Jehoiada (2 Chronicles 24), Abraham Lincoln, Jimmy Lee Jackson, Gandhi, Jesus, Yitzchak Rabin, Malcolm X, nor Elijah Parish Lovejoy, it was hoped, could threaten the status quo of their respective societies quite as effectively or pressingly from the grave. Beyond neutralizing the threat of the particular prophet to be murdered, moreover, this method serves further to discourage other would-be prophets from the prophetic vocation lest they share the murdered prophet’s fate. Murder can carry significant legal, physical, or political risks for the murderers, however, and often requires a considerable investment of energy and capital. And while torture, imprisonment, frivolous legal harassment, social contempt, and other forms of persecution can go a long way, they too often prove costly and inefficient. All
forms of direct repression moreover risk the ironic consequence of facilitating greater opportunity for effective prophetic political action, as it is precisely by way of the acceptance of cost, risk, and sacrifice that a prophet can make manifest the authenticity of their conviction and so pointedly confront their audience with their claim. Prophecy requires repression for its success, and the more blunt and vicious the repression, the more successful prophecy can be.

We can often more cleanly and efficiently neutralize the force of prophecy by discrediting the prophet in our and others’ eyes, reading her conduct as expressing not authentic concern but some or another form of the usual will to power; careerist self-promotion; tribalist partisan zeal; greed; an old grudge; a nasty personality; resentment; ressoniment; radically subversive political design; the impertinence or wistfulness of youth; the crankiness of old-age; some billionaire’s putting her up to it; false-consciousness; foreign influence; libido; repressed libido; the media’s insatiable appetite for ratings. Beyond discrediting the person of the prophet, we can shape the patterns of public discourse such that the possibility of valid moral judgment becomes obscured, illegible as such: We can make all truth out as mere opinion; construe every issue as having two, equally balanced sides; ready a dozen ‘well-what-about…’s for every potentially challenging judgment. And if we are wily, we will take care to aggressively saturate societal discourse with appeals to all of the above, securing suspicion’s effective, perfect sovereignty such that the very possibility of an exception – of authentic concern on the basis of valid moral judgment – is obscured. The machinery not only shields us from the prophet’s claim at little to no felt cost but swamps the prophet with the same doubts as to her authenticity. Maybe her professed “concern” really is just a way to get
back at her dad? Or maybe she really is just in it for the fame, for the approval of her comrades? *Can* she really know what she claims to know? We can make ourselves so adept at discerning the masks we wear that, no later than self-reflection and critique get their foot in the door, we can scarcely any more believe that there is anything behind the mask at all.

It is true that since our capacity to consider prophetic claims is limited, and our susceptibility to claims the acceptance of which would work counter to the pursuit of justice, it will be reasonable to exercise some form and degree of critical suspicion in evaluating any given claim to authentic concern. This is especially true with respect to such claims where the claimant clearly stands to gain from others’ acceptance of their claim, such as salespeople and politicians under most circumstances – we often do well to tune them out. Consider, though, the certainty that there are at any given time injustices in our society of which we are not aware. While it is possible that we will become appraised of any given such injustice without intervention – suppose I stumble into a sweatshop while finding my way through a neighborhood back alley, or I myself come to be a victim of the injustice in question – it is certain that even the most injustice-attuned among us will not become appraised of them all. Since, therefore, prophetic voices may indeed appraise us of injustices of which we are not aware, and it is certain that without heeding some prophetic voices there are injustices of which we will not become appraised, a categorical refusal to heed any prophetic voices at all is *irresponsible*. That is, were I to perpetrate this refusal I would be rightly held to account by all those concerned about any particular injustice of which I might otherwise have become appraised, as well as by all those concerned about injustice generally. In addition, I would
be rightly held to account by all those concerned that authentic clams to concern, and thereby the standing as persons of those who make them, be respected. I have a responsibility, therefore, to approach public claims to authentic concern with a manner and measure of credulity, perhaps even generosity, such as to not rule out in principle heeding any claim to authentic concern.

As with the normative form of responsibilities in general, there is no reason to expect that adherence to or transgression of any given fixed formula for evaluating these claims will correspond one to one with success or failure in meeting our responsibility on this score. But we can be rightly held to account where we fail to make manifest at least some manner and degree of openness to prophetic authenticity such that we would heed at least some prophetic voices. Importantly, it is not enough for us to be open to heeding prophetic claims under criteria the real-world fulfillment of which is merely hypothetical. Were I to say, for example, that I would indeed heed a prophet exhibiting what I take to be the level of manifestly, indubitably, wholly selfless virtue of the biblical Jeremiah, but unfailingly fail to identify any contemporary persons exhibiting that level of virtue in their purportedly prophetic actions, this posture too would be irresponsible. Since it is present injustices for which I am responsible for taking responsibility for, and since heeding at least some prophetic voices is necessary for my not defaulting on that responsibility, I have a responsibility to sustain an openness to heeding at least some present prophetic voices. If, as I see it, no one today rises to the level of some or another idealized prophet, be it Jeremiah, Martin Luther King Jr., Gandhi, Eugene Debs, or George Norris, then I have a responsibility to lower my standards. It will be helpful in this for me to remember that, as a matter of fact, these figures’ contemporaries were no
less likely to judge these figures as inauthentic as I am regarding the purported prophets of my day. It is to be expected, in fact, that the effort to judge and promote the judgment of a given purported prophet as inauthentic would increase in proportion to the extent to which they are in fact authentic, as it is precisely the most authentic prophets whose claims will most threaten the status quo and thus elicit the most defense against their claims. Where, therefore, the authenticity of figures addressing claims for concern to the public is impugned, and especially where I myself feel drawn to impugn their authenticity, my responsibility for injustice will dictate that I subject these impugnings to correspondingly strict scrutiny.

Finally, since redress for society-wide injustices calls for broad coalitions of concerned responsibility, and since securing the concerned responsibility of any given individual person requires that that person enjoy access to prophetic voices recognizable as such, I have a responsibility to contribute to public discourse in a manner which promotes, and certainly which does not subvert, the possibility on the part of any given individual of reasonably recognizing prophetic voices as prophetic voices. What exactly this will involve will again be fundamentally open ended in character, but likely candidates will be withholding expressions of broad-scope cynicism regarding the potential for some meaningful measure of personal authenticity on the part of contemporary persons or some salient subset thereof, as in the class of professional politicians; withholding expressions of cynicism regarding the human capacity for justice as such; promoting sensitivity and receptiveness to the voices of persons I myself recognize as authentic; raising awareness of the need for sensitivity and receptiveness to prophetic voices on account of our responsibility for the pursuit of justice. But it will
involve, most of all, my engaging in prophetic action, manifestly accepting suffering and sacrifice in the pursuit of justice, so as to offer to those around me a demonstration of the reality of prophecy and a corresponding call to take up the mantle themselves.

Some will come to see what you and I now see, and find ways of their own to take responsibility for these persons, including taking responsibility for holding themselves, us, and everyone else responsible for taking responsibility for these persons. The more people take more steps to make their responsibilities visible, the harder it will become for individuals to evade being held to account for these responsibilities, and so the more these responsibilities will be met. Officeholders will support or develop policies which redress the injustice; those who support or develop policies redressing the injustice will win office in the first place; rather than work to further obscure the injustice, those seeking to leverage and win social capital will highlight the injustice in highlighting their devotion to redressing it. This vision will become true within our community, if and to the extent that it is true, and it is publicly clear that is true, that those persons out of whose interactions social capital is generated are concerned about the injustice and committed to holding themselves and others responsible for redressing it. And to the extent that those persons are indeed concerned about their responsibilities to and for others, the community of persons out of whose interactions social capital is generated will grow larger, excluding fewer by recognizing more. Even where the witness of any given individual may not achieve appreciable change in this direction, the witness of individuals is both necessary and ultimately sufficient for appreciable change, and any given individual’s witness will advance the cause, however incrementally. Thus, with
respect to structural injustices in free societies, while only some are guilty, all are responsible, and responsible for the responsibility of all.

Heschel, as we saw in chapter 1, was brought to reflection on prophecy by his premonition, corroborated by history, of the inadequacy of modern philosophy in confronting the potentials of human evil. It was on account of the “tragic failure of the modern mind, incapable of preventing its own destruction,” that he turned to the prophets in search of a “different way of thinking,” one that could cultivate, rather than deaden, human responsibility and solidarity.126 What I have offered in this chapter is an explication and elaborations of the results of this turn. In the following two chapters, I look to the thought of two figures, Joseph Soloveitchik and Hannah Arendt, who came, I argue, to remarkably similar diagnoses of modern humanity’s fundamental moral problem and to remarkably similar convictions regarding the normative equipment required avoid further catastrophe. The broad convergence of the accounts, as well as their points of divergence in presentation and conceptual substance, will both provide corroboration for and further develop my claims in these first two chapters.

126 Ibid.
Chapter 3

“From time to time, Satan has taken control over the realm of Western religiosity, and the forces of destruction have overcome the creative consciousness and defiled it...Only the experience of the revelation has saved the world from spiritual annihilation”¹²⁷ - Joseph Soloveitchik

“The level to which a science has reached is determined by how far it is capable of crisis in its basic concepts”¹²⁸ - Martin Heidegger

Joseph Soloveitchik’s early-life CV matches Heschel’s line for line: A scion of a proud rabbinic dynasty, he leaves the pervasively traditional atmosphere of his youth in search of expanded intellectual and spiritual horizons, pursues academic formation in philosophy at the University of Berlin, and the with the rise of Nazi regime he makes his way to America where he flourishes as one of the 20th century’s leading rabbinic lights. The two even shared a dissertation advisor, Max Dessoir. It is on its own unsurprising, then, that Soloveitchik came to share Heschel’s sense of philosophy’s inadequacy in face of moral catastrophe. It is precisely “The paradoxical present-day conflict of science and philosophy and the crisis of the latter” which, Soloveitchik proclaims at the outset of Halakhic Mind, “may yet give birth to new religious world perspective.”¹²⁹

¹²⁷Joseph B. Soloveitchik, And From There You Shall Seek (Jersey City, NJ, 2008), 55.
¹²⁸Martin Heidegger, Being and Time (Blackwell, 2013), 29.
¹²⁹Soloveitchik, Halakhic Mind, 4.
More important is that this line of thinking is wholly unoriginal to either. The
diagnosis of philosophy as beset by crisis, and his premonition that the crisis of
philosophy represented an epochal opportunity for renewal, was rooted in a deeply
cliched Weimar consensus spanning both disciplinary and political lines. Looking just to
book and article titles, the decades previous featured Georg Simmel’s “The Crisis of
Culture” (1916); Rudolf Pannenberg’s *The Crisis of European of Culture*; Ernst
Troeltsch’s “Crisis of Historicism” (1922); Karl Buhler’s *The Crisis of Psychology*
(1927); Rosa Luxembourg’s *The Crisis of Social Democracy* (1919); and Alfred Weber’s
*The Crisis of the Modern Idea of the State in Europe* (1925).\(^{130}\) In philosophy
specifically, there was Karl Joel’s *The Present Philosophical Crisis* (1914); Arthur
Liebert’s *The Intellectual Crisis of the Present Age* (1923); Ernst Cassirer’s “The Crisis
of Man’s Knowledge of Himself” (1944); and in particularly instructive parallel to
Soloveitchik’s project, Edmund Husserl’s *The Crisis of the European Sciences* (1935).\(^{131}\)
Husserl poses the question, “A crisis of our sciences as such: can we seriously speak of
it? Is not this talk, so often heard these days, an exaggeration?” His answer:

This is not just a matter of a special form of culture – “science” or “philosophy”
– as one among others belonging to European mankind. For the primal
establishment of the new philosophy is…the primal establishment of modern
European humanity itself…Thus the crisis of philosophy implies the crisis of all
modern sciences as members of the philosophical universe: at first a latent, then

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\(^{130}\) The titles are helpfully collected and illuminatingly discussed in Peter E. Gordon, *Continental Divide: Heidegger, Cassirer, Davos* (Cambridge, 2010), 43-46.
a more and more prominent crisis of European humanity itself in respect to the total meaningfulness of its cultural life, its total “Existenz.””  

The mindset (and jargon) persisted after the war and, largely through the labors of apostle-emigres, spread beyond Germany. In post-war America, Leo Strauss made a career of addressing the “crisis of modernity,” the “the crisis of the West,” “the contemporary crisis of Western civilization,” “the crisis of liberal democracy,” the “theological-political crisis,” and “the one great crisis, the crisis of our time,” among other putative epochal emergencies.133 Resisting but thereby honoring the same set of pressures, Hans Jonas says of his Philosophical Essays that “Man in Crisis’ was among the first titles suggested for this collection, and discarded only for fear of shrillness.”134 Hannah Arendt did title one collection of essays Crises of the Republic, and in one place, matching Soloveitchik almost word for word, writes of the “crisis within the natural sciences themselves.”135 Taken as a whole, for these thinkers, intra-academic methodological dissatisfactions are proper proxies for world-historical crisis – war, tanks, mustard gas, eventually genocide are all in some real sense philosophy by other means. In sum, that society was critically ill, and that this illness found clear expression in the life of the mind, was not controversial. The question was whether the cure was to be found, if

132Edmund Husserl, Crisis of the European Sciences (Germany, 1936), 12.
134Hans Jonas, Philosophical Essays: From Ancient Creed to Technological Man, (Chicago, 1974) xix.
it was indeed to be found, in some or another form of redoubled scientific rationality, in surrender to the non-rational forces of life, or some creative synthesis thereof.\textsuperscript{136}

In this chapter I argue that Soloveitchik took the latter, synthesizing approach, that he identified this synthesis and its fruits as belonging properly to the prophetic, and that his case was cogent in both regards. In addition to achieving further texture for my account of the prophetic and bolstering my case for the prophetic as our most compelling available response to mass-societal evil, Soloveitchik’s arguments regarding the meaning and epistemic grounds of claims to revelation are of particular salience for my overall project: For Soloveitchik, the crises of philosophy and humanity open the way toward an irreducibly personal but nonetheless interpersonally responsible and critical mode of autonomously religious cognition.

My focus is on the three major monographs Soloveitchik published in his lifetime – Halakhic Mind, Halakhic Man, and And From There You Shall Seek – all of which were written, not incidentally, in the 1940’s. Within that scope, I proceed by way of reconstructing the argument of Halakhic Mind, likely Soloveitchik’s least read and least understood major work. My articulation of Soloveitchik’s thinking challenges what has become the standard reading in several regards. First and most generally, Halakhic Mind has been predominantly read as a methodological intervention addressed to philosophers of religion in general and practitioners of Jewish thought in particular. On the standard reading, what is at stake in the project is getting Jewish thought right: maintaining its native integrity and autonomy as a field of meaning by avoiding recourse to scientific-

causal and historicist forms of explanation, refusing the temptation of purely subjective-expressivist interpretations, and positively, looking to the Jewish tradition, particularly in its crystallization into determinate objective norms – the halakha – for the very categories through which Jewish thought is to be interpreted. As Soloveitchik concludes the work, “Out of the Sources of Halakha, a new world view awaits formulation.”

Writing in the 1940’s, Soloveitchik argues that it is a propitious time for such a methodological reorientation, as the prevailing crisis within philosophy – as well as within the natural sciences, especially physics – has at long last made room in respectable academic society for the legitimation of a robust plurality in cognitive approaches to reality, the religious included.

The standard reading is not wrong. It is, however, critically incomplete, in that it elides one of the project’s most fundamental aims and animating concerns: to save European humanity from itself – or, following shortly after World War II, to set European humanity aright as prophylactic security against further civilizational catastrophe. I do not mean that Soloveitchik imagined such an achievement would or could be a causal effect of his writing. I do argue, however, that the work is decisively ordered toward that end. *Halakhic Mind* is addressed not only to the theorist with the aim

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139A notable exception on this score is William Kolbrener, who comments on “the extent to which Halakhic Mind, among other things, is a meditation on contemporary events in Europe” (William Kolbrener, *The Last Rabbi: Joseph Soloveitchik and Talmudic Tradition*, Binghamton, 156). See also David P. Goldman, “Rav Soloveitchik’s New World View” in *Hakira* 24 (Spring 2018), 91-127.
of securing a sound academic methodology – though it surely is so addressed – but to the 

moral subject with the aim of achieving responsibility for the world and its persons, 

precisely that responsibility the failure in which, Soloveitchik says, “brought chaos and 

disaster to our world, which is drowning in its blood.”

In conjunction, Halakhic Man and And From There You Shall Seek are not only devotional and apologetic works of 

descriptive phenomenology addressed by a parochial man of faith to his faithful flock – 

though that they surely are – but moral arguments addressed in principle to humanity as such.

Second, on the standard reading Halakhic Mind is a fundamentally neo-Kantian 

project. This characterization is likewise not wrong, and yet misleadingly incomplete: 

The work does indeed insist on a strong, distinctively neo-Kantian constraint on the 

spiritual program it promotes, but that program is deeply and explicitly 

phenomenological and existentialist rather than neo-Kantian in character. Even as the 

phenomenological school sustains Soloveitchik’s harshest denunciations, it remains, 

Soloveitchik acknowledges, that the work is “indebted in several important points” to 

Max Scheler’s muscarily phenomenological Vom Ewigen im Menschen. In particular, 

the possibility, if not the normative acceptability, of what Soloveitchik calls 

“hypersensible intuition” is critical to the argument of Halakhic Mind. More basically, 

much of the argumentative structure of the work is not epistemological or scientific but

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141 That the characterization of Soloveitchik’s work as straightforwardly neo-Kantian is inaccurate is 
pointed out by Yonatan Brafman: “In fact, while much has been made of his influence by Cohen’s Neo-

Kantianism, a better way of describing Soloveitchik’s philosophical oeuvre is as an effort to get out of its 
grips.” (Yonatan Brafman, “The Objectifying Instrument of Religious Consciousness’: Halakhic Norms as 

Expression and Discipline in Soloveitchik’s Thought,” 17). None of this is to deny that Soloveitchik’s work 
is substantially neo-Kantian, but rather simply to point out that it is not simply or unproblematically neo-

Kantian. 

142 Soloveitchik, Halakhic Mind, 120 fn. 62.
existential in form: The decisive question throughout much of *Halakhic Mind* is not in the first place whether a given proposal is logically entailed by sound premises but whether it can satisfy the intellectual, spiritual, and ultimately the ethical needs of the contemporary seeker – an aim the achievement of which, Soloveitchik believes, neo-Kantianism is ill prepared to deliver without considerable reform. Understanding the role this mode of argument plays in the work is critical to understanding both where the work is coming from and the results it produces.

My final and most central concern with the standard reading is less with an incomplete picture than a complete omission: Studies of Soloveitchik’s thought simply have not noticed Soloveitchik’s distinctively prophetic, as opposed to legal or characterological, ethics of social responsibility. A privileging of the statutory legal norm as the proper ground of a Jewish worldview is indeed a critical hallmark of Soloveitchik’s thought, and it is notable that Soloveitchik never sought to assume the kind of public prophetic persona with respect to social issues as did, for instance, Heschel. It is also the case that the kind of prophecy-centric understanding of Judaism exemplified in the thought of Hermann Cohen is among Soloveitchik’s chief critical targets. But undermining the often-assumed dichotomy between law and prophecy, as well as that between inwardness and public action, are themselves integral to Soloveitchik’s project, and his rejection of one form of prophetic ethics does not entail his rejection of the possibility, or the task, of articulating a more adequate form. That task, I argue, is the driving engine of Soloveitchik’s project in these works, as it is the practice of prophecy which emerges as Soloveitchik’s principal prescription for confronting the philosophically decisive threat of mass-societal evil. To see that and how this is so,
however, requires following Soloveitchik in critically reevaluating what terms like
‘prophecy’ and ‘revelation’ can, do, and ought to mean. And if it is true that Soloveitchik
counterposes God-given to “secular” morality, embracing the former and disparaging the
latter, we should not at the outset take for granted any ready-made scheme for sorting
between any such categories.

Critically, given its ambitious purpose, Soloveitchik’s prescription of prophetic
practice is in principle independent of the particularities of Jewish practice. It is, rather, a
universal ethic of spirituality intended to address a universal human problem. To read
Soloveitchik exclusively as a Jewish thinker, as virtually all of his interpreters to date
have, is both to deprive humanity of a much-needed Jewish voice and to deprive Jews of
a much-needed human voice.

Defining Crisis

What, for Soloveitchik, is the crisis of philosophy, and what is the new religious world
perspective it, along with the conflict of science and philosophy, may yet lead to?

“It would be difficult to distinguish any epoch in the history of philosophy more
amenable to the meditating homo religiosus than that of today,” Soloveitchik begins
Halakhic Mind. “The reason for this is the discrepancy that exists at present between the
mathematico-scientific and philosophical methodologies.”143 The amenable present is
contrasted to a prior state in which scientific and philosophical methodology coincided,
which is to say that philosophy understood itself to be comprehensively bound by the

143Soloveitchik, Halakhic Mind, 3.
strictures of scientific method. In an “act of surrender on the part of the philosopher to the omnipotence of science,” philosophers of all stripes excluded from the bounds of legitimate study all aspects of reality not capturable in mathematical formula. “Thus,” Soloveitchik recounts, “the world comprising the sum total of our consciousness, the world of the senses, with which our very being is integrated, was rejected by these philosophical systems, as relativistic, subjective and ephemeral. Our variegated environment of qualitative flux was supplanted with abstract concepts and symbolic relational constructs.”

The world lost to philosophical reflection, in other words, is the “naïve” world, the world as encountered by persons qua persons.

It is also, Soloveitchik says, the “private” world. That the naïve world is apprehended in irreducibly subjective, personal terms – think of the way a flower looks, rather than the wavelengths of light it reflects, or the way a friend’s kindness feels, rather than the utility it produces or the conditioning which causes it – means that it cannot be formulated in strictly objective terms, which is to say that it cannot be presented such as to be equivalently apprehensible by any given subject, which is to say that it cannot be made public in the relevant sense. Another way to put this is that propositions regarding the subjectively encountered qualitative world as such are necessarily uncritical, in that their validity cannot be interpersonally adjudicated on exclusively impersonal grounds, and are thus relegated, on this view, to the cognitively meaningless realm of personal whim. Equating the publicly, decisively adjudicable with the academically respectable, philosophy, in overawed thrall to the sciences, forfeits contact with personal reality –

144 Idem, 7.
145 Idem, 6-7.
146 Idem, 6.
147 Idem, 51.
with what Husserl calls in this context the “lifeworld.”\textsuperscript{148} For Soloveitchik, intriguingly, this nostalgic longing for naïve, subjective, and private experience is equivalent to the quest for divine illumination. “Scientists see the world as enveloped in an abundance of formal lawfulness; positivists see it as full of dim, thick sensuousness. Both of these conceal the secret of creation…Only outside of formal symbolic cognition, with its free structures of thought, can the secret be revealed.”\textsuperscript{149} And the search for this secret – for that knowledge which is beyond autonomous, scientific cognition – is, knowingly or not, “nothing but a search for God.”\textsuperscript{150} The universally human search for God, then, has been suppressed by philosophy’s methodological subordination to the mathematical sciences. Or, as Soloveitchik puts it in different jargon, “The cause of man’s frustration in this area is sin.”\textsuperscript{151}

On Soloveitchik’s telling, what would eventually unsettle this subjectivity-stifling status quo were developments within the natural sciences themselves. The process was not smooth, however. Bergson, Soloveitchik says, brought to the world the revelation that the data of biology and psychology intrinsically “resist” explanation in the mechanistic terms adopted by philosophy – “Bergson was the first to become aware of the discrepancies prevailing between the problems of life and…the basic philosophical methods couched in mathematical and physical concepts.”\textsuperscript{152} For Bergson, philosophy had come to be at best quarantined from, and at worst subversive of, a sound reflective

\textsuperscript{148}See for instance Husserl, \textit{Crisis of the European Sciences}, 138.
\textsuperscript{149}Soloveitchik, \textit{And From There You Shall Seek}, 15.
\textsuperscript{150}Idem, 15.
\textsuperscript{151}Soloveitchik, \textit{And From There You Shall Seek}, 26 [emphasis added]. He continues: “The serpent pounced upon Adam and beguiled him to do wrong and to sin. As a result of this sin, the Shekhinah removed itself from the lower world…A fixed mechanistic consciousness covers the inwardness of the living world that sings songs of praise to its creator; it covers the soul and the inner core of the creation.”
\textsuperscript{152}Idem, 8.
relation to life and its problems. Philosophy and life were at odds; hence, the argument went, philosophy ought to change. This message, intriguingly, would fail to win any purchase among its intended converts: “Bergson’s biologistic crusade against philosophies shaped by physics, however prophetic and revolutionary, went unheeded even by biologists who, adhering preponderately to mechanistic doctrines, perceived no discrepancy.”\textsuperscript{153} The prophet’s words, as prophet’s words so often do, fell on deaf ears – ears which, content and unperturbed in their “mechanistic bondage,”\textsuperscript{154} could not so much as perceive the possibility of another way.

To shake them from their slumber, the crisis would have to enter the temple of physics itself. Indeed, “The menace to classical mathematical philosophy did not emerge from the sphere of life…but paradoxically enough, from modern mathematical physics, where new aspects, such as non-Euclidean geometry, relativity and quantum mechanics, radically changed the entire scientific mode of thinking.”\textsuperscript{155} Once it was seen that physics could not itself sustain fidelity to its own purported lawfulness, philosophy could awaken from its slumber and see that “Perhaps there are many keys to the ontological kingdom.”\textsuperscript{156} But that the road to salvation is cleared does not mean that all will take it, and indeed there were those “so called logical positivists” who elected to simply double-down and make programmatically explicit their life-defying, servile devotion to science which “alone has the exclusive right to cognition.”\textsuperscript{157} On the other hand there were indeed those “insurgent metaphysicians and epistemologists” – a set of persons

\textsuperscript{153} Idem, 9.
\textsuperscript{154} Idem, 14.
\textsuperscript{155} Idem, 9-10.
\textsuperscript{156} Idem, 13.
\textsuperscript{157} Idem, 12.
coextensive with that Soloveitchik denotes by the term “contemporary philosophers” – who broadened their reflective efforts so as to include, even privilege, the naïve and private world of living persons: “The variegated, colorful world, which for so long had remained in primordial loneliness, became, within a relatively short time, the favorite haunt of the philosopher.”

The aim of the new philosopher was not only to make available new objects of investigation but also to make available new modes of investigation for the old objects. The objective physical world itself is to become subject to a fundamentally open-ended set of subjective forms of cognition, a plurality of cognitive approaches founded, the new philosopher argues, on a plurality intrinsic to reality itself. “The object reveals itself in manifold ways to the subject.” It is not idle here that the object reveals itself in these ways to the subject, as it is the subject’s aim and mode of engagement which determine the form of disclosure. Along with its obfuscatory distance from life, philosophy had forgotten that objects appear always to subjects, and that subjects approach objects always with some manner of engaged interest, the pursuit of theoretical science representing only one special case. It is “A certain telos” which “corresponds to each of these ontical manifestations.” The blacksmith’s ready-to-hand hammer is not the ethnographer’s artifact is not the physicist’s bundle of mass and energy; correlatively, one person may approach the same hammer now as a blacksmith, now as an ethnographer, now as a physicist.

\[158\] Idem, 13.
\[159\] Idem, 16.
“Pluralism,” for Soloveitchik’s metaphysicians, “is founded on reality itself,” and “does not deny the absolute character of Being.” The development of pluralism, in fact, is precisely a function of modern metaphysical endeavors’ “striving for the mysterious absolute.” The reason is that “Every metaphysical question for reality is driven by the urge for finality and totality which neither scientific microscope nor telescope can reveal.” The language in regard to the metaphysician consistently evokes a primal register: The “urge” for finality and totality “can never be satisfied with merely theoretical considerations…The Kantian and neo-Kantian undertaking to separate the theoretical reason from the practical…gives no comfort to the philosopher.” And importantly, metaphysicians are not to be understood as agents with the basis of their metaphysical enterprise under their own power: “The noetical drive of the metaphysician is an overwhelming one. The romantic quest…spurs the philosopher on irresistibly.”

It is important that for Soloveitchik this is all salutary enough in itself. Soloveitchik’s homo religiosus is along with the metaphysician “little inclined to accept conceptual abstraction and quantitative transfigurations” in place of “the concrete world full or color and sound.” Made to believe that cognition belongs exclusively to the mathematical scientist, the religious person “sought a haven in other spheres,” either that of sentiment a la Schleiermacher or that of ethics a la Kant, Fichte, and Cohen. But the newly pluralistic philosophy “released the homo religiosus from his fetters and encouraged him to interpret the polychromatic and polyphonic appearances impinging upon him, the one of his psychosomatic being.” It is a matter of refusing unnatural,

160 Idem, 16.
161 Idem, 19 (emphasis added).
162 Idem, 29.
unhealthy compartmentalization in favor of an organically integral life: “In contrast with the scientist, the *homo religiosus* is unable to bifurcate reality.” Thus there must be non-scientific cognition, and that cognition must rightly enjoy as its object the qualitative, personal, subjective, organic, evaluative, thing-in-itself, or absolute. _Otherwise the urge will not be sated_, Soloveitchik argues, and, tacitly, *we should not fail to sate the urge_. Metaphysics represents an elemental existential imperative, an originary need which, neo-Kantian pieties notwithstanding, cannot be refused without a violent suppression of personal fulness and vitality. “The philosopher needs but a little audacity and courage,” Soloveitchik says.\(^\text{164}\)

**Crisis and Revelation**

For Soloveitchik, then, the fact that philosophy no longer enjoys the surety of subjugation to scientific method does not in itself constitute the crisis of philosophy. The relationship between the crisis of philosophy and the overturning of classical scientific method by modern physics is not of identity but of *revelation*: It was as a result of the development of quantum mechanics, non-Euclidean geometry, and so on that philosophy came to see what had been true all along, which is that it had lost contact with “the variegated, colorful world.” Forced to confront their alienation, those who unlike the logical positivists held fast in the confrontation were then compelled by an existential urge to seek intimacy with that which is absolute. Their freshly-won methodological freedom from science, however, left them without a clearly mandated path forward. To go beyond

\(^{163}\)Idem, 40.

\(^{164}\)Idem, 27.
logico-mathematical thought is precisely to engage in an activity which no set of objective rules can comprehensively guide; some form of authentically personal judgment and decision are required. The absence of objective guidance coupled with the existential imperative to press forward with or without it – this is the structural form of crisis. And to achieve consciousness of this crisis, Soloveitchik argues, is to receive revelation: “All sapient men search for God, but when the seekers reach the ultimate boundary of reality they become alarmed and retreat…Only a few remain steadfast in the face of the mystery and expect salvation from the God they seek. This is the crisis point, and here God reveals Himself.”165

“From time immemorial,” Soloveitchik writes on Halakhic Mind’s opening page, “whenever the identity of the individual and community was shattered, man encountered God…Religious experience is born in crisis. The transcendental ‘adventure’ – the flight of the alone unto the alone – is precipitated by despair. Man in his chancing upon the contradictory and absurd in life apprehends the vision of a hidden God.”166 Given the work’s initial framing as concerning the “discrepancy that exists at present between the mathematico-scientific and philosophical methodologies” and the almost-exclusive focus on technical methodological issues in science and the humanities throughout much of the book, it would be natural to read this talk of transcendental adventures and visions of a hidden God as rhetorical flourish. But as we have seen, the crisis at issue in Halakhic Mind is not in the first place driven by the technical, intellectual question of academic methodology but by the existential quandary of personal alienation from the real, flesh-

165 Idem, 29.
166 Soloveitchik, Halakhic Mind, 3.
and-blood world. And what catalyzes this quandary as a crisis is the compulsion to confront it in absence of adequate-in-itself objective guidance – that is, the “despair” of “chancing upon the contradictory and absurd in life” which is both the effect of and occasion for revelation.

Revelation does not resolve the crisis, however; revelation can be ignored or misused, and in any case, no matter how clear its content, its character is precisely never such as to obviate the need for personal judgment and responsibility. There are those, Soloveitchik says, who, finding themselves suddenly licensed for methodological autonomy and compelled to seek authentic personal reality, embrace wholly subjectivist modes of thought on which individual emotion, passion, and decision are regarded as autonomous, normatively unconstrained by criteria external to themselves. “The metaphysical spirit, too long imprisoned in scientific philosophy, tore itself loose from rational principles. If reason is incapable of acquiring intimate knowledge of reality, then, said they, let the heart accomplish this, lest we wander forever in the labyrinths of scientific symbols and substitutes.”

The desired intimacy with reality, in other words, is sought directly, without conceptual or empirical mediation, through what therefore must amount to a “hypersensible act of intuition.” In this way the individual subject as such achieves union with personal reality, or God, as such.

Importantly, Soloveitchik does not at any point suggest that such intuition – fully cognitive perception of that which is beyond the natural or scientific – is impossible in itself. Soloveitchik is careful to distinguish between classical Greek skepticism – a “healthy” mode of questioning with a fruitfully “sobering effect on philosophical

167 Idem, 52.
168 Idem, 51.
thought” – and Kantian, “transcendental” skepticism, which in rendering reality in-itself as categorically inaccessible to human reason leads to the very pathologies Soloveitchik is attempting to treat: where reality in-itself is taken as inaccessible to reason, the attempt at access through non-rational means is a natural outcome.\footnote{Idem, 121.} For Soloveitchik, echoing his friend Alexander Altmann’s critique of Scheler’s phenomenological intuitionism,\footnote{See Alexander Altmann, Die Grundlagen der Wertethik, (Berlin, 1931).} the problem is again that in abjuring conceptual mediation these zealots have rendered their alleged apprehensions of reality uncritical: With the practice of subjective intuition having methodologically insulated itself in advance from evaluation by external criteria, there can be no grounds on which a given practitioner can be held to account regarding the validity of their results. “‘Public critical reason has been renounced for ‘private’…subjective experience…The autonomous philosophical apprehension of reality is anti-intellectualistic and hostile to critical thinking.”\footnote{Soloveitchik, Halakhic Mind, 51.} Soloveitchik’s strict methodological refusal of publicly unaccountable modes of thought is the key “neo-Kantian constraint” I referred to in the introduction.

The effort at “autonomous philosophical apprehension of reality” is lamentable not in the first place because it yields false results – though its deliverances, because uncritical, will surely wind up “distorted”\footnote{Idem, 51} – but because it is ethically pernicious. “The ethical implications of any philosophical theory, as to its beneficence or detriment to the moral advancement of man, should many a time decide the worth of the doctrine.”\footnote{Idem, 52.}
Here Soloveitchik turns explicitly to his concern for European humanity: “Now let us examine,” he says,

the aftermath of epistemological anti-intellectualism rampant in European philosophy during much of this century. Autonomous metaphysics, deserting reason, often leads to moral corruption…A study of the forces which shaped contemporary European culture gives ample instance of the dangers germane to subjective intuitive attitudes.\(^{174}\)

And while he carefully does not lay blame upon the founder of the phenomenological school himself, “It is no mere coincidence that the most celebrated philosophers of the third Reich were outstanding disciples of Husserl.”\(^{175}\) The claim is not that subjective intuitionism is in itself evil, but that it is pointedly “vulnerable to misapplication.”\(^{176}\) This is particularly true with regard to religion, where the reduction into “some recondite, subjective current is absolutely perilous,” freeing “every dark passion and every animal impulse in man.”\(^{177}\) For Soloveitchik, far more than philosophy is at stake in the crisis of philosophy.

This is an understated but persistent theme for Soloveitchik, appearing at critical points in each of his three 1940’s monographs. In the text of *Halakhic Man* he is comparatively circumspect, noting simply that “Experience has shown that the whole religious ideology which bases itself on the subjective nature of religion – from

\(^{174}\)Soloveitchik, *Halakhic Mind*, 53.

\(^{175}\)Ibid.

\(^{176}\)Idem, 54.

\(^{177}\)Idem, 55.
Schleiermacher and Kierkegaard to Natorp – can have dangerous, destructive consequences that far outweigh any putative gains.” But in the work’s final footnote, concluding a discussion of the exaltation of personal self-creation in Kierkegaard, Ibsen, and especially Scheler and Heidegger, Soloveitchik says bluntly: “Such views have brought chaos and disaster to our world, which is drowning in its blood.” In *And From There You Shall Seek*, he reaches far back beyond Schleiermacher to begin his indictment with Paul’s critique of the law: “Subjective faith, lacking commands and laws, faith of the sort that Saul of Tarsus spoke about…cannot stand fast…The terrible Holocaust of World War II proves this. All those who speak of love stood silent and did not protest. Many of them even took part in the extermination of millions of human beings.”

Soloveitchik does not spell out the precise mechanics through which, as a matter of alleged historical fact, subjectivist philosophy was responsible for the Holocaust. Notably, the historical figures alluded to do not appear to include, for instance, figures like Hitler or Himmler; though Soloveitchik does reference those “many” who “even took in part in the extermination of millions of human beings,” his concern in these passages is not in the first place with mass-evil’s principal instigators. His focus, rather, is on the “celebrated philosophers of the Third Reich” – individuals who facilitated the popular appeal of Nazi doctrine and lent academic credibility to the regime – and “those…who stood silent.” What subjectivist philosophy can be held responsible for, in other words, is not the genesis of evil but the failure, whether by way of simple passivity or varying degrees of positive complicity, on the part of proximate others to meaningfully oppose it.

179*Idem*, 164 fn. 147.
180Soloveitchik, *And From There You Shall Seek*, 55.
181Ibid.
“Indifference to evil,” Heschel says, “is more insidious than evil itself. It is more universal, more contagious, more dangerous. A silent justification, it makes possible an evil erupting as an exception becoming the rule and being in turn accepted.”\(^{182}\) A Hitler can only succeed in mobilizing a nation toward evil where the nation’s individuals stand silent, thus providing the “silent justification” evil requires to take hold.

It is in refusing obedience to *determinate imperatives*, Soloveitchik argues, that subjectivist philosophy renders persons amenable to evil: “Subjective faith, lacking commands and laws…cannot stand fast.”\(^{183}\) Considered in themselves, any given subjective state can in principle be made compatible with any given objective state – it is possible, it has been claimed, for the virtuosic religionist to torture innocents as a matter of loving concern for their souls. Especially where pressures are high, that compatibility is easily leveraged toward indifference and complicity; we can tell others, and tell ourselves, that despite it all we ultimately do mean well. Consider an average American during the slavery years. Suppose they claim to consider all men equal, but neglect to translate that conviction into concrete action. Insofar as it remains on the subjective plane, such belief in the equality of all men, however passionate, can readily prove compatible with the real-world practice of slavery, as the early American people’s relation to its founding documents makes quite clear. And where the societal forces supporting the institution of slavery are strong, such individuals will readily find ways to accommodate their convictions to the societal institution rather than vice versa. It is not that their claim to conviction is necessarily false per se. The problem, from Soloveitchik’s perspective, is that there are no objective, public grounds on which to


\(^{183}\) Soloveitchik, *And From There You Shall Seek*, 55.
differentiate such a person from their neighbor who in fact considers some men less valuable than others – their subjective differences notwithstanding, the two figures remain objectively non-different. Since it is the world wherein persons suffer, it is the world in which we must make a difference; since subjectivity in itself cannot make a difference in the world, subjectivity alone is at best inadequate and at worst positively subversive.

Limiting the cognitive enterprise to the merely objective thus propounds the existential failure of alienation from the personal world; approaching reality in-itself through a subjectivity free of critical, objective aspects likewise fails to sustain responsibility to the world of persons. The only salutary alternative, Soloveitchik argues, is to live our subjectivity through, and only through, its crystallization in concrete, publicly visible forms. The privacy of the inner life must itself become political. Far from a betrayal of the individual spirit, Soloveitchik insists, the process of objectivization is in fact a function of the existential character of personal subjectivity. “There is a definite trend towards self-transcendence on the part of the spirit,” he says, and it is through this self-transcendence that the spirit becomes what it is: “The morphological process of self-realization from the inward to the outward is typical of the spiritual act. The arrow points towards externality, spatialization and quantification; and subjectivity rushes along this route.”

There are two distinct stages to this process. The first, what we might call judgment, remains within the psychic realm: At this stage, the free-flowing currents of inward subjectivity – passion, conviction, faith, and so on – are focused into the

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184 Idem, 67-68.
formulation and endorsement of well-defined normative judgments regarding some state of affairs in the world. Such judgments, as irreducibly functions of personal subjectivity, will as such not be deducible through impersonal analysis from any set of impersonal rules; the individual must discern by their own lights what they see as right and wrong, what ought and ought not to be, and commit themselves to standing firm in that discernment.\textsuperscript{185} The result is the adoption of a “certain norm” which, while still only “semi-objectified” – while the norm itself is available for criticism on objective grounds, the proposition as to its authentic adoption by the individual subject is not – is intrinsically disposed toward realization in outward action: “The norm…attempts to break through the barrier separating the physical from the spiritual in order to appear in the arena of life.”\textsuperscript{186} Insofar as I coalesce my convictions into the judgment that such and such ought to be the case, I am to that extent disposed to acting so as to make such and such the case. That I will in actuality so act does not follow as a matter of logical or psychological law. But insofar as I fail to so act, it will be to that extent less valid to claim, as an objective matter, that my conviction is authentic. Insofar as I do so act, my inner, subjective conviction will, in finding public expression, have been made available for objective evaluation. Following the formulation of a determinate norm, then, the second stage of spirit’s self-realization is the “emergence of ‘spiritual’ reality into outward tangible form.” Subjectivity is fundamentally private and personal, but its

\textsuperscript{185}On judgment as an irreducibly subjective yet intersubjectively accountable rational faculty to be distinguished from mere taste, see Immanuel Kant, Critique of the Power of Judgment, transl. Paul Guyer and Eric Mathews, (New York, 2000). For a more explicit extension of Kant’s conception to the realm of ethical and political decision, see Hannah Arendt, Lectures on Kant’s Political Philosophy, ed. Ronald Beiner (Chicago, 1992).

\textsuperscript{186}Soloveitchik, And From There You Shall Seek, 68.
“consummation…always takes place in a non-personal world.”\textsuperscript{187} It is thus a confusion to conclude, as some scholars have, that Soloveitchik’s persistent dilation on the private character of religion entails a rejection of politics.\textsuperscript{188} The central burden of Soloveitchik’s project is precisely to overcome the categorical separation between religion and politics, and between the inner life and manifest behavior more generally, characteristic of modern Protestant religion and Enlightenment philosophy.

Soloveitchik illustrates the importance of this normative structure with respect to a range of modes of personal subjectivity. “In the aesthetic sphere,” he says, “subjectivity finds expression either in the discipline of aesthetics or in works of art. Both are objectified aspects of ephemeral subjectivity.”\textsuperscript{189} The endeavor to appreciate art and the enterprise of producing art are two sides of the same coin: In producing art, one seeks to translate their “ephemeral subjectivity” – some state of their soul, or psyche – into a fixed, concrete form. In appreciating art, though one never enjoys direct access to the psyche of the artist, one seeks, by engaging the fixed, concrete form of the artwork – by studying its objective, public aspects – to reconstruct a picture of the private, personal subjectivity which produced it. Importantly, the artist too cannot simply read instructions for their productions off the contents of their own souls – to think that such information could be available, whether to the critic or the artist, would be to think of art as a causal product derivable from objective facts and laws, which would be to falsify art’s status as fundamentally personal creation. But neither is it the case that the artist is wholly

\textsuperscript{187}Idem, 68.
\textsuperscript{189}Soloveitchik, And From There You Shall Seek, 67.
unguided in their work – to think that would be indistinguishable from construing art as an uninterpretable natural event. Even the most original artist comes to their work with a rich set of precedents and a range of presumed possible reactions on the part of their audience. It is with all of that objectively given that the artist then chooses – no one else, and no set of rules, can choose for them – or finds themselves having chosen, one out of the infinity of possible concrete forms that givenness allows as the guiding norm of their art. Thus, in executing the project they render their fundamentally open-ended subjectivity in fixed objective form. In doing so the artist wins what can be a critical measure of control over their free-flowing inner life: Soloveitchik approvingly cites Stefan Zweig as saying that “Tolstoy conquered the fear of death…through an act of objectification – i.e., transforming death into an object of his artistic creation.”

With regard to the ethical, Soloveitchik diagnoses a key weakness in Kantian ethics in that, while admirably discerning the modes of subjective commitment requisite for morality as such, it fails to “provide consistently for the externalization of inwardness.” As with the aesthetic, “ethical subjectivity” is properly “converted into propositions, norms, values, etc” – that is, rendered into determinate, intrapsychically-available form. To be a fully ethical person, one must then “not only tend to mold a clear norm with his subjective duty-consciousness, but to realize this norm in concrete life.” But the realization of the subjective norm in concrete life is again not an objective causal process, requiring rather an act of personal judgment – one must judge that the specific case in front of them indeed falls under the purview of the norm – and then of the free

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190 Soloveitchik, *Halakhic Man*, 154 fn. 86.
191 Soloveitchik, *Halakhic Mind*, 70.
192 Idem, 67.
193 Soloveitchik, *Halakhic Mind*, 70.
resolve to act, in a given time and place, in expression of commitment to the norm: “The decision is the final act of the free will, the agent of the ethical process.” Ethical subjectivity is fully ethical only insofar as it achieves real-world purchase, and it can achieve real-world purchase only through the free agency of persons.

While for Soloveitchik this is true of all forms of subjectivity, it is most true of religion, which is “perhaps more deeply rooted in subjectivity than any other manifestation of the spirit.” The problem is thus more acute, and the stakes higher. It is characteristic of the religious personality to both turn inward to the emotional and volitional realms and, corresponding to the sought-for purity of their inner subjective experience, turn toward the heavens in search of contact with a pure transcendence unsullied by conceptual or empirical mediation: “The ethical and religious ideal of homo religiosus is the extrication of his existence from the bonds of this world.” The result, Soloveitchik argues, is intrinsically unethical in that it involves the fundamentally inegalitarian and undemocratic claim of individual practitioners to unique, private, and ultimately unaccountable relationship with the divine. “Aristocracy in the religious realm is identical with the decadence of religion.” Insofar as it is made public without objectification, in other words, subjectivist religion presumes the unaccountable authority of the virtuoso over those dependent on them for access to the divine. And again, most importantly, subjectivist religiosity all too easily entails irresponsible indifference to the worldly suffering of others:

\[194\] Ibid (emphasis added).
\[195\] Ibid.
\[196\] Idem, 67.
\[198\] Soloveitchik, *Halakhic Mind*, 80.
Homo religious, his glance fixed upon the higher realms, forgets all too frequently the lower realms and becomes ensnared in the sins of ethical inconsistency and hypocrisy. See what many religions have done to this world on account of their yearning…They have been so intoxicated by their dreams of an exalted supernal existence that they have failed to hear the sighs of orphans, the groans of the destitute. Had they not desired to unite with infinity and to merge with transcendence, then they might have been able to do something to aid the widow and the orphan, to save the oppressed from the hand of the oppressor. There is nothing so physically and spiritually destructive as diverting one’s attention from this world.  

Religion’s unique liability to fail in worldly responsibility makes it especially urgent that religious subjectivity, as with the artistic and ethical, be translated first into clear normative commitments and then into concrete, objective forms of real-world conduct.

The imperative toward objectification is especially vital for “revealed” religion: “It is almost impossible for a representative of a theistic, apocalyptic religion to satisfy his needs with mere inward religiosity.” Where the religious personality abjures outward expression of their subjective experience, Soloveitchik argues, their religiosity is de facto “anthropocentric and anthropocratic.” Without the possibility of appeal to critical, objective data, that is, it is on an objective level at best indeterminable whether the

\[199\] Soloveitchik, Halakhic Man, 41.
\[200\] Soloveitchik, Halakhic Mind, 78.
\[201\] Ibid.
subjective religious practice in any way points beyond the individual human self – if it involves worship, it is at best objectively indeterminate whether it is God or the religious subject themselves who is worshipped. For Soloveitchik, to say that the answer is indeterminate is to effectively resolve the question: “He is absorbed in his own self rather than in a transcendent God.”

Reliably genuine self-transcendence requires engagement with a transcendent God, and engagement with a transcendent God requires the incorporation into that engagement of objective facets available as criteria for public evaluation.

That rendering the apprehension of God publicly accountable requires modulating its subjective character is for Soloveitchik a fact intrinsic to communication as such: “By the time homo absconditus manages to deliver the message, the personal and intimate content of the latter is already recast in the lingual matrix, which standardizes the unique and universalizes the individual.”

Just as both the state of the artist’s soul of which the artwork is the expression, and the inspiration to which that state is an answer, are reliably accessible only through the concrete medium of the artwork, revelation is a reliably accessible object of cognition only insofar as it is objectified in the concrete form. Since the quality of distinctively revelational experience is precisely non-empirical and non-scientific (to the extent that it is merely empirical or scientific, it is not distinctlyively divine), and since aesthetic experience is inadequately accountable, practical normativity emerges as the ideal form of prophetic objectification. “The democratization of the God-man confrontation was made possible by the centrality of the normative

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202Ibid.
element in prophecy.”

Prophecy, in other words, has “very little in common with the mystical experience” and must be “crystallized and objectified in a normative ethico-moral message.” In this way, Soloveitchik argues, the logic of revelation itself compels those who enjoy it to redouble their focus on the world, its persons, and their wellbeing. “Revealed religion rests upon the idea of a charismatic social ego…Biblical narrative concerning the prophets in Israel does not depict them as hermits who severed all intercourse with their fellow men…They were, above all, men of action dominated by an all consuming passion for reform and change.”

Returning to our slavery-era American purportedly committed to the equality of all men, what Soloveitchik would ask of them is in the first place that their subjective conviction be crystallized into the determinate normative judgment, not that all men are created equal in the abstract, but that slavery in general, and the present institution of American slavery in particular, ought to be abolished, and abolished now. Others may argue that while all men are created equal, these are not men; that while all men are created equal, we best respect these men as equal by providing them the civilizing structures of slavery; that while slavery ought indeed to be abolished, that ‘ought’ is of no relevance to them, since they are not themselves slave owners; or that since their releasing their slaves would do nothing on its own to end the institution of slavery overall, they have no reason to take a stand. Where a religious mindset is involved, the inclination to look away from the on-the-ground realities of slavery in looking toward the heavens only deepens their liability toward such evasions. Avoiding responsibility in

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204 Idem, 62.
205 Idem, 59.
206 Idem, 79.
these ways cannot be precluded by the imposition or acceptance of impersonal rules alone, as for the persons involved it will always be an open question whether and how the rules apply in a given case. Such evasions will not, on the other hand, tempt those who have performed the act of judgment in determining that the present, concrete institution of slavery ought to be abolished and that persons ought to act so as to abolish it. Even where, as a pragmatic matter, there is no avenue available for the full public realization of this inner judgment, the achievement in formulating the “semi-objectified” norm remains a vital step beyond mere subjectivity: The person who has so judged in formulating that norm will be disposed, wherever and however possible, to act in accordance with that norm – they will be disposed, in Soloveitchik’s terms, to neither “stand silent” nor “fail to hear…the sighs of orphans, the groans of the destitute.”\(^{207}\) To bring oneself to make such judgments and stand firm in honoring the constraints they impose, even where no pre-given, impersonal law necessitates that stance, is to bring oneself to be bound by “laws and commands” and as such to be protected against failures of responsibility.

**Halakha is Revelation, but Revelation is not Halakha**

Soloveitchik’s principal normative recommendation here thus bears no intrinsic relation to halakhic observance as such – halakhic observance, essential as it is to Soloveitchik’s broader project and worldview, is neither necessary nor sufficient for the spiritual program advanced as a response to civilizational crisis in *Halakhic Mind*. This should be clear already from the facts of his principal case in point: Soloveitchik is surely not

\(^{207}\)Soloveitchik, *Halakhic Man*, 41.
suggesting that the Holocaust could and ought to have been prevented by the commitment of some set of persons to halakhic norms. It is likewise clear straightaway from his appeal to illustrations in the aesthetic realm: When Soloveitchik appeals to Tolstoy’s salutary efforts at rendering his fear of death in objectified literary form, for instance, it is not Tolstoy’s Talmudic novella that he has in mind. What Tolstoy’s example represents for Soloveitchik, rather, is the disciplined but fundamentally open-ended, personal process of creative expression. It is true that for Soloveitchik the Halakhah is the paradigm of objectified religious subjectivity: “We do not know,” he declares, “of any other religion where the process of objectification has attained such completeness as it does in the Halakhah.” But that does not at all imply that the Halakhah enjoys a monopoly on that objectification of subjectivity which protects against mass-societal evil. What is required to that end is not obedience to regulatory statute but morality, and, as Soloveitchik puts it in a 1951 lecture course (published in a 2017 collection titled Halakhic Morality), “There is no statutory morality.” What is needed is precisely to see that there must and can be a form of normativity which is fully objective and yet non-statutory in form: “Even the objectified ethical norm,” he says, “does not lend itself to halakhic authoritative legislation and promulgation.”

For Hannah Arendt, a similarly Weimar-trained Jewish philosopher reflecting retrospectively on the failures and responsibilities of ordinary Germans during the Hitler era, it is an empirical fact that even the most fastidious adherence to fixed rules of conduct was of no effect in forestalling even enthusiastic complicity in the regime’s

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208 Soloveitchik, Halakhic Mind, 99.
210 Soloveitchik, Halakhic Morality, 5.
One set of moral rules can always be exchanged for a new set; rules can, under pressure, be constricted in their application; and crises may emerge for which the rules do not in themselves provide guidance. “I therefore would suggest,” she says, “that the nonparticipants were those whose consciences did not function in this, as it were, automatic way – as though we dispose of a set of learned or innate rules which we then apply to the particular case as it arises, so that every new experience or situation is already prejudged.” What distinguished the non-participants, rather, was not obedience to impersonal law but the capacity for and commitment to the practice of irreducibly personal judgment – that “human faculty which enables us to judge rationally without being carried away by either emotion or self-interest, and which at the same time functions spontaneously, that is to say, is not bound by standards and rules under which particular cases are simply subsumed, but on the contrary, produces its own principles by virtue of the judging activity itself.” It is only those, Arendt says, who are able to “live explicitly” with themselves – those who by their own lights judge their would-be actions as right or wrong, good or bad, in the awareness that “whatever else happens as long as we live we shall have to live together with ourselves” – who can withstand the pressures toward complicity in mass-societal evil.

It is this practice of judgment, I offer, which Soloveitchik proposes as the only viable propaedeutic against further civilizational catastrophe and the key to the responsible moral life generally. In filling out his portrait of the Halakhic Man Soloveitchik recounts a story about his grandfather:

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212 Arendt, *Responsibility and Judgement*, 44.
213 Idem, 27.
214 Idem, 45.
Once R. Hayyim of Brisk was attending a conference of outstanding Torah scholars in St. Petersburg. The item on the agenda was the question of uncircumcised infants – should their names be entered in the official register of the Jewish community. All of the rabbis declared: “It is certainly forbidden to register them, for they are not circumcised.” (Through this tactic they hoped to compel the assimilationists to circumcise their sons.) R. Hayyim arose and said: “My masters, please show me the halakhah which states that one who is not circumcised is not a member of the Jewish people…” From a political and practical perspective, and as an emergency measure, no doubt the majority was correct. However, on the basis of the pure Halakhah, R. Hayyim was correct. And he would not sacrifice this halakhic truth even for the sake of realizing the noblest of ideals.\(^{215}\)

As Soloveitchik presents it, what distinguishes R. Hayyim from his colleagues seems to be his strict allegiance to the letter of the law – while they were willing to compromise the halakhic truth, he was not. But of course there is no law the letter of which demands that Jewish children be registered with the civil authorities as Jewish. There simply is no question here of either transgression or fulfillment of the Halakhah as such. Understanding this, R. Hayyim’s colleagues saw an open normative field in which a pragmatic calculus as to how they would best serve their interests was fair game. For R. Hayyim, however, the normative field simply was not open in this way, not as a matter of

\(^{215}\)Soloveitchik, \textit{Halakhic Man}, 90.
law but on the basis of personal judgment and responsibility in relation, in this case, to the law: The question as to who is and is not a Jew is not a question, R. Hayyim judged, with which one may play games, no matter how purportedly noble the ends for which the game would be played. He thus judged the proposal unacceptable, and took action to elicit that judgment of unacceptability in his colleagues. In persuading his colleagues on this score, it is not that he taught or clarified for them a hitherto unknown point of law, but that he brought them to recognize the imperative of personal integrity in public life. He makes of himself not only a teacher but an exemplar, and in so doing calls his colleagues to do the same.

In the subsequent paragraph, Soloveitchik further spells out the distinction between the Halakhic Man and the merely law-abiding persona exemplified by R. Hayyim’s colleagues, focusing on their respective priorities:

Neither ritual decisions nor political leadership constitutes the main tasks of halakhic man. Far from it. The actualization of the ideals of justice and righteousness is the pillar of fire which halakhic man follows, when he, as a rabbi and teacher in Israel, serves his community…No religious cult is of any worth if the laws and principles of righteousness are violated and trampled upon by the foot of pride…The anguish of the poor, the despair of the helpless and humiliated outweigh many commandments.\footnote{Soloveitchik, \textit{Halakhic Man}, 91.}
It is as a function of the practice of personal judgment over and above adherence to the law that halakhic man’s principal end is the redress of the suffering and injustice of persons. Where others see an open normative field amenable to a pragmatic calculus, the personal judgment of halakhic man cannot but deliver clear, determinate norms in response to the cries of the oppressed: What is wrong is recognized as wrong, and what needs to be done to right those wrongs is recognized as the action-demanding imperative it is. In pursuing this existentially transformative extension of the impersonal rule into the personal sphere, the halakhic personality

approaches the level of that godly man, the prophet – the creator of worlds…He takes up his stand in the midst of the concrete world, his feet planted firmly on the ground of reality, and he looks about and sees, listens and hears, and publicly protests against the oppression of the helpless, the defrauding of the poor, the plight of the orphan.\footnote{Ibid.}

For Soloveitchik, prophecy is an open-ended, prospectively responsible responsiveness of persons to the demands of the real-worldly wellbeing of persons. One is a prophet, in other words, to the extent one’s mode of personal subjectivity is attuned such that they will not fail to hear the cries of oppressed persons and take action in response. “Loving-kindness means more than a momentary tear and a cold coin. Loving-kindness means empathizing with one’s fellow man, identifying with his hurt and feeling responsibility
for his fate.”  It is not, Soloveitchik cautions, by way of statutory fidelity that one feels – and takes – responsibility for the suffering but by way of personal attunement to them in their distress. And it is only in such taking of responsibility for suffering persons that one’s subjective conviction is properly, publicly critical: The authenticity of one’s subjective conviction is in this way made amenable to evaluation, whether on the part of others or oneself, on the basis of objective criteria, as whatever else one feels, says, or does they can always be asked to what extent they have met their responsibilities to the oppressed – and it will be their own responsibility to provide a satisfactory affirmative response. One is in this way protected against the liability of failing in defense of the oppressed, failing “to publicly demonstrate for them,” when the chips are down. The failure Soloveitchik identifies here is what Heschel called indifference. And as with Heschel, Soloveitchik’s response to and prophylactic program against that failure is the cultivation of prophetic personality.

Soloveitchik does insist that prophetic personality in this sense is necessarily predicated on a response to divine command marked by felt heteronomous imposition on the individual person’s natural interests – prophecy requires the experience of a coercive command originating externally to the individual. Lacking the experience – and acceptance – of such heteronomy, the person’s religious subjectivity remains merely subjective and is as such dangerously unaccountable. “Someone who has attained

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219 “You lived in the time of Moses, and you were numbered among the advisers of Pharoah. Did you lift a finger when Pharaoh issued his evil decree that ‘Every son that is born you shall cast into the river’…or when the oppressors enslaved your brethren with back-breaking work? You were silent and did not protest, for you were afraid of identifying yourself with the unfortunate slaves. To toss them a coin? Yes; but to publicly demonstrate for them? No!” (Soloveitchik, Kol Dodi Dofek: Listen – My Beloved Knocks, 16).
knowledge of God only through personal inner awareness, and who does not feel the pincers of the revelational duress compelling him to adapt to the laws and statutes imposed on him by a separate supreme authority, is liable to disgrace himself in public."\(^{221}\) Soloveitchik is careful to emphasize that where the danger of religious subjectivity is concerned, even rigorously objective but non-religious normative standards are inadequate security: "Religious commands (secular moral norms are insufficient) that break out with elemental force are the foundation of objective religious reality; those who deny them make religion a fraud."\(^{222}\)

It is not the case, however, that the class of “religious commands” is for Soloveitchik exhaustively identifiable as such with the set of halakhic norms grounded in the Sinaitic theophany, or with any set of norms grounded in any particular theophany. Revelation for Soloveitchik is definitionally a function of personal, subjective experience – what it is to be revelation, as we saw, is to be both that which calls the individual to transcend merely objective consciousness and that which the individual encounters when they heed that call. To make the objective criterion of belonging to a determinate set of regulations like the Halakhah definitional of revelation is thus to make a category error, the mistake being comparable to confusing a painting’s beauty with its canvas and oils. The revealed Torah, Soloveitchik emphasizes, includes the oral Torah, “a Torah which by its nature and application cannot be objectified.”\(^{223}\) Religious commands require, rather, that the individual person submit to imperatives which they at least do not at first relate to as objects of their own free construction. Where such a relation does not obtain between

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\(^{221}\) Soloveitchik, *And From There You Shall Seek*, 54.

\(^{222}\) Ibid.

\(^{223}\) Ibid, 142.
an individual person and at least some religious imperatives – where the individual never heeds the compulsion of an imperative they cannot fully comprehend in terms of their own natural interests – the entirety of the individual’s religious experience follows suit: “With the ebbing of the revelational, commanding element…personal anarchy begins to rise. It then seems to man he himself is the author of the commandments, that he determines religion’s purpose and goal.”224 The aim, then, is to avoid relating to would-be revelational commands as either merely objective, impersonal facts or as wholly subjective free creations. What fits the bill, as Arendt theorizes, is intersubjectively accountable personal judgment of right and wrong demanding determinate concrete action.

Vaclav Havel, another phenomenologically-minded, post-war public intellectual, sees in a billowing smokestack soiling the countryside sky the symbol of an age which seeks to transcend the boundaries of the natural world and its norms and to make it into a merely private concern, a matter of subjective preference and private feeling, of the illusions, prejudices, and whims of a ‘mere’ individual. It is a symbol of an epoch which denies the binding importance of personal experience – including the experience of mystery and of the absolute.225

224 Idem, 54.
It is not, for Havel, that those polluting the environment with reckless abandon are in transgression of a statutory rule. Their failure, rather, is to refuse what ought to be a dictate of irreducibly (inter)personal judgment, and to do this not by contesting this judgment in particular but by denying the “binding” validity of any such judgments in general in regarding them as “merely private” matters of whim. It is to conduct ourselves as if such things were up to us, as if the decision as to whether or not to destroy our Earth one smokestack at a time – or report to our desk jobs in the Nazi bureaucracy – could be akin to a choice between ice-cream flavors or a matter of negotiating the best on-balance deal for our pragmatic interests. For Havel as for Soloveitchik, to deny the binding validity of such norms simply is to refuse the personal experience “of the mystery and of the absolute.” Conversely, to accept the “binding importance of personal experience – including the experience of mystery and of the absolute” is to accept that we are bound, utterly regardless of our own preferences and whims, to seek and heed the deliverances of personal judgment on questions of social responsibility.

Where we do come to judgments in this way, we are then subject, in Soloveitchik’s terms, to “the pincers of revelational duress.” Judgment in this sense is the medium of revelation. Whether such a revelation has occurred in a given case will always be open to question, as by the very nature of the phenomenon it is not subject to objectively decisive proof. (This is, it should be noted, a deeply traditional consensus within Jewish thought more broadly. And given the realities

226 Soloveitchik, *And From There You Shall Seek*, 55.
227 See for example commentaries of Nahmanides, Bahye ben Asher, and Obadia ben Jacob Sforno, Jacob Tsvi Meklenburg, and Naftali Tsvi Yehuda Berlin to Exodus 19:9, which reads “And the Lord said to Moses, ‘I will come to you in a thick cloud, in order that the people may hear when I speak with you and so
of self-interest and self-deception in relation to personal judgment, claims to revelation always require critical interrogation, both by the claimants themselves and by any implicated others. But to deny that personal judgment so much as could qualify as authentically revelatory of God and God’s will is to reject Halakhic Mind’s argument for the open-ended methodological autonomy of religious cognition and its correlation with reality in-itself. It is a deep, crisis-catalyzing mistake, Soloveitchik forcefully argues, to regard the divine as categorically inaccessible to human cognition, as Kant and his followers do. Further, it is for Soloveitchik a deep, crisis-catalyzing mistake to regard revelation as subject to verification or falsification by strictly objective criteria. Revelation must be critically tested, but it must be critically tested in its own terms, and those terms are irreducibly (inter)personal.

We have seen that Soloveitchik counterposes God-given to “secular” morality, embracing the former and disparaging the latter as superficial and flimsy in the face of human crisis. This claim has been challenged on the empirical grounds that religious persons surely hold no monopoly on genuine morality, self-sacrificial altruism, and interpersonal concern. But this objection, taking for granted some or another

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trust you ever after.” With regard to the prophecy of Moses, these commentaries stress, epistemic certainty on the part of the people could be established only by way of their direct participation in the prophetic experience. Where such participation does not occur, epistemic certainty is thus not achieved. For a more systematic analysis and presentation of the epistemic uncertainties intrinsic to claims to prophecy, see also Maimonides, Laws of the Foundations of the Torah 8:2 and Joseph Albo, The Book of Principles, 1:18. These and related questions are discussed in Alex Ozar, "The Prophets Did Not Take Political Stands, and You Should Too," (2018).

228 As Statman puts it, “It would appear that the moral advantages Rav Soloveitchik attributes to the religious over the secular standpoint are problematic from an empirical perspective.” See Daniel Statman, “Perspectives on Rav Soloveitchik’s Moral Conception” in Emunah be-Zemanim Mishtanim: ‘Al Mishnato shel ha-Rav Yosef Dov Soloveitchik, ed. Avi Sagi (Jerusalem: 1996), 249–64.
impersonally objective classification of the religious person over against the secular, misses the point. For Soloveitchik, the prophet is that personality who, having cultivated the requisite personal attunements, hears the cries of the oppressed, judges their particular instance of oppression unjust, and does not rest before translating the inner pathos of that judgment into manifest forms of conduct in principle available for public critique. To the extent, and only to the extent, that they succeed in this, they will have made clear, to others and to themselves, that they have received a revelatory command – or, if they prefer a different vocabulary set, that they have come to form a binding, intersubjectively accountable personal judgment. And since Soloveitchik argues it is both morally and rationally pernicious to affirm a revelatory experience in absence of intersubjective accountability – “private” and “mystical” experiences of the divine are both anti-egalitarian and anti-intellectualistic, he argues – it follows that for Soloveitchik one ought to affirm a revelatory experience when and only insofar as they find themselves burdened with the conviction that they must take action to redress a present injustice under which their fellow persons are suffering. Amos, Martin Luther King Jr., Ghandi, and R. Hayyim, disparate as they are, all plausibly qualify as prophets in these terms. R. Hayyim’s halakhically-minded colleagues plausibly do not.

Prophecy, for Soloveitchik, is a vocation to which every individual is called: “The principle of prophecy…has a twofold aspect: the belief in (1) prophecy as a reality – i.e., that God causes men to prophesy; (2) prophecy as a norm – i.e., that each person is obliged to aspire to this rank.”229 What this means, we have seen, is that every individual is responsible for the effort to achieve the self-transcendence of authentic personality in

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229Soloveitchik, Halakhic Man, 128.
seeking engagement with the absolute by way of taking concrete, determinate responsibility for the wellbeing of the world’s persons. A world in crisis both opens the opportunity for, and necessitates, the work of prophecy.

Conclusion

I want to reiterate that my thesis here is fully compatible with the standard reading of Soloveitchik. *Halakhic Mind*, for instance, is indeed a methodological intervention addressed to practitioners of Jewish thought the main conclusion of which is that any authentic Jewish thought must proceed by way of a reconstruction of the personal modes of cognition understood to be crystallized in the objective data of received Halakha. And both *Halakhic Man* and *And From There You Shall Seek* are intended and pointedly crafted as apologetic efforts to render traditional halakhic practice and Torah study compelling to the discerning modern Jew. What I have highlighted here is that the central argument of each of these works rests explicitly on what Soloveitchik, as part of a deep and wide tradition of Weimar-era philosophy, sees as at stake in getting the question of human spirituality right: the threat of future mass-societal evils in light of mass-societal evils of the present or very recent past. And it is as a function of this fundamental concern that the works are relentlessly focused on what Soloveitchik argues is the argumentatively decisive problem of responsibility for the orphan, widow, and oppressed. Whatever else they are, then, Soloveitchik’s principle works are decisively grounded in a concern, flowing from and refracted through his native tradition of Weimar-era
philosophy, for human social responsibility as such. They ought not to be read only as such, but they ought to be read as such.

Shalom Carmy, while carefully articulating the importance of this concern for Soloveitchik’s argument, argues that it is a mistake to see it as in-itself decisive:

To understand fully the significance of revelation, however, it is not enough to concentrate on the track record of the human race…We need determinate revealed commandments not merely as a means to help avert moral catastrophe. We require Torah u-mitzvot in order to encounter God. For, as we have seen, human initiative, however ambitious, disciplined and sustained, cannot bridge the measureless gulf that divides finite creature from infinite Creator. If God is really and truly God, then we encounter His presence not only when and where we are prepared to recognize it, but precisely when he overtakes us and commands our attention and commitment, in moments unguarded and circumstances uncontrived by human hands.230

Indeed, it would be a falsification of Soloveitchik’s project to read him as granting revelation only the instrumental value of securing human wellbeing. But this, I argue, is precisely because for Soloveitchik the two goals Carmy delineates are analytically inseparable: To achieve authentic social responsibility in authentic attunement to the cries of the widow, orphan, and oppressed is precisely to encounter God – and vice versa. In securing the category of revelation against assimilation into the impersonal,

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objective registers of mathematical science and statutory law, Soloveitchik sustains a space in human consciousness for attunement to the inarticulate demands addressed to us by the suffering of others and the open-ended, personal responsibilities that entails. In so doing he makes the category of prophecy available to those inclined to theological metaphysics, and those averse, in equal degree. What matters is that one confess that there is more to reality than what is capturable in mathematical formula, and by corollary, that the normative field is not exhausted by individualistic, pragmatic-utilitarian calculation. Once we acknowledge that we are indeed fundamentally accountable to others for redressing the suffering of the oppressed, we require the irreducibly personal work of judgment to discern the way forward, and we are compelled to translate that judgment into real-world action. It is the vocation of the prophet to call us to that confession and exemplify for us that work.

It is true, and of importance, that Soloveitchik himself, despite boasting a large and loyal following, did not engage in overt public calls to redress societal injustice. He did not follow the example of Amos, Jeremiah, Heschel, or King in this respect. Perhaps his principles indicate he should have. Precisely his interpretation of prophecy, however, entails that fulfilling the prophetic vocation cannot entail any performance in particular. Because the prophetic is a function of the irreducibly personal, any proposition to the effect that “If person X did not perform manifest action Y, person X did not act prophetically” is necessarily invalid – there can be no formula. And because the function of the prophetic is precisely to call ourselves and others to a life attuned to and ordered by this irreducibly personal register, it follows that the inevitably mediated work of public interventions will often frustrate what good a would-be prophet might
have achieved out of the limelight. Some individuals may be well suited and positioned
to shift society toward greater concern for the suffering and oppressed through public
pronouncements, leading marches and protests, building leverage and negotiating with
the powers that be, and so on. Others will be better suited and positioned to shift society
toward greater concern for the suffering and oppressed through the cultivation of small
communities of spiritual depth, passion, and critical exchange. Soloveitchik’s argument
entails that both paths can be, and can fail to be, properly prophetic.

In the following chapter, I argue that for Arendt, too, our responsibility for
justice is realized most foundationally not in acts of mass-publicity but in the small-
scale, mundane actions of individuals who, on the ground of nothing but their own
personal judgment, simply refuse to lend their support to evil.
Chapter 4

“Even in the darkest of times we have the right to expect some illumination, and that such illumination may well come less from theories and concepts than from the uncertain, flickering, and often weak light that some men and women, in their lives and their works, will kindle under almost all circumstances and shed over the time span that was given them on earth” (Arendt, *Men in Dark Times*).

“Hasn’t Jahwe faded too far out of sight?” (Jaspers to Arendt, *Correspondence*)

The central claim of this chapter is that Hannah Arendt both offers a powerful theoretical account of, and herself exemplified, the work of prophecy. In the context of the present project, the central purpose of this chapter is thus to further develop and clarify my account of prophecy by way of making good on that claim – and vice versa. We can learn from Arendt, I show, that and why every individual person under conditions of societal injustice bears a standing responsibility to engage in prophetic political action in pursuit of greater justice. And we can deepen our understanding of what that responsibility entails.

Like Heschel and Soloveitchik, Arendt’s career as a thinker is decisively set against the horizon of a concrete but seemingly generalizable episode of modern, bureaucratically driven, mass-societal evil.231 “The lesson began in 1933,” she says, and

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231 Canovan: “Virtually the entire agenda of Arendt’s political thought was set by her reflections on the political catastrophes of the mid-century” (Margaret Canovan, *Hannah Arendt: A Reinterpretation of Her Thought*, New York: Cambridge University Press, 1992, 7).
“What we have learned since…can be counted as additions and ramifications of the knowledge acquired during those first twelve years, from 1933 to 1945. Many of us have needed the last twenty years in order to come to terms with what happened.”

Importantly, what demanded this protracted coming to terms was not the sheer reality of the tragedy – the response to “horror itself in its naked monstrosity” is that “speechless horror in which one learns nothing” and thus in which there is no coming to terms – nor was it the “conduct of the true culprit,” that is, of those individuals, like the stormtroopers and established Nazi “bigwigs,” from whom “no one in his right mind could expect other than the worst.” That “bestial” people act bestially is a familiar fact of human experience and as such of no special difficulty for understanding the moral life, emphasizing only that one should, as most in fact do, continue to conduct oneself non-bestially. What did raise a fundamental moral challenge, Arendt reports, was the “as it were, honest overnight change of opinion that befell a great majority of public figures in all walks of life and all ramifications of culture, accompanied, as it was, by an incredible ease with which lifelong friendships were broken and discarded. In brief, what disturbed us was the behavior not of our enemies but of our friends.”

Not only, in other words, did they fail to oppose the Nazi program, but they were drawn into active support for that program, representing for Arendt a breakdown of personal judgment: they failed to see and name as evil what they could and should have seen and named as evil.

Against this background, the animating question of Arendt’s work is how persons ought to conduct themselves so as to best secure the world against further such atrocities.

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232 Hannah Arendt, Responsibility and Judgment, 23.
234 Ibid.
235 Ibid.
Arendt argues that political action – an irreducibly interpersonal, personally revelatory complex of word and deed introducing change into the world persons share in common – can, if anything can, secure the world against mass-societal evil. And where political action is lacking, nothing else – no form of government, institutional structure, or set of mores – can reliably hold the line. Preventing mass-societal evil requires, in other words, that individual persons take personal responsibility for the prevention of evil, and take responsibility for making their taking of this responsibility manifest in word and deed to others. In so doing, such persons bring to light not only the particular judgments at issue in a given case but rather constitute and reinforce the realm of interpersonal accountability – what Arendt calls simply “the world” – itself. Arendt’s critical recasting of the term ‘political’, I argue, renders her ‘political action’ equivalent in all salient respects to what I, employing ‘political’ in a less rarefied sense, specify as prophetic political action. I acknowledge that Arendt’s lodestar is Athens, not Jerusalem. But I ask what her account of political action would look like were Amos, interpreted in light of the concerns to which her account is a response, substituted for, or simply added alongside, Pericles in Arendt’s presentation. My answer is that the account would be in all salient respects the same. And while it is any case too late for Arendt herself, I argue that we do well to make the addition, if not the substitution. Arendt’s chief legacy is, and is helpfully read as, the championing of the primacy of the prophetic.

I expect my appeal to Arendt as a theorist and paragon of prophecy to be met with skepticism on several grounds. First, prophecy is thought of as a distinctively religious phenomenon, whereas Arendt was hardly religious in any orthodox sense. Arendt, responding to Jaspers’ question regarding her work, “Hasn’t Jahwe faded too far out of
sight?” confessed that “All traditional religion as such, whether Jewish or Christian, holds nothing whatsoever for me anymore.” And it is indeed clear that traditional religion enjoyed little influence and no authority over her life or thought – she was neither shul-goer nor theologian. Insofar as prophecy belongs to traditional religion, therefore, prophecy would seem at best out of place in a discussion of Arendt. But the question, already probed at several points in earlier chapters, is whether prophecy is indeed best understood as a specifically religious phenomenon, or, if it is, whether it is best thought of as belonging to what Arendt calls traditional religion. Should the effort succeed, therefore, reading Arendt as a theorist and paragon of prophecy would thus help us generate a richer understanding of the meaning and potentialities of religion, and thus of the meaning and potentialities of prophecy.

Second, prophecy is thought of as involving appeals to truth in promotion of political ends. For Arendt, however, truth is fundamentally inimical to politics as such. Politics for Arendt is that realm of interpersonal goings-on in which human freedom and plurality enjoy unconstrained exercise in the form of open-ended discussion. But there is only one truth, and that one truth is in no way relative to the perspective, let alone consent, of any individual. It is thus widely taken that for Arendt, appeals to truth for political purposes – among which prophetic enunciations of divine imperatives regarding the adjustment of human affairs would appear to qualify – are to be judged illegitimate out of hand. Truth as such functions as an absolute, and as Bonnie Honig writes, “absolutes occlude the contingency that is the quintessential feature of the public realm, the feature in virtue of which political freedom and human innovation are possible.” As

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236 Correspondence: Hannah Arendt and Karl Jaspers, 54.
such, Honig concluded, “Even if appeals to an absolute could still sway us, even if religious sanction was still viable for the political realm appeals to an absolute as a ground of politics, in Arendt’s view, would be illicit.”\textsuperscript{237} It is partly on account this Arendtian line of thinking, George Shulman suggests, that prophecy is absent in much of contemporary political theory, as “The legacy of ‘Jerusalem’ – theist absolutes and redemptive rhetoric – seems inherently antipolitical.”\textsuperscript{238} And the political is what Arendt is most concerned to protect. Reading Arendt as a theorist and paragon of prophetic practice, therefore, will require that we rethink the opposition between truth and prophecy, and thereby the relations among truth, prophecy, and politics.

Third, prophecy is thought of as concerned to provide for the material needs, better the conditions of life, of the unjustly deprived and degraded. But such concerns belong for Arendt to the sphere of merely metabolic labor rather than action, to the realm of the merely “social” as opposed to the political. As such, these concerns are destructive of the very possibility of politics per se. The worry is compounded in that these concerns are mediated through emotions like compassion, and “compassion,” Arendt writes,

abolishes the distance, the worldly space between men where political matters, the whole realm of human affairs, are located…As a rule, it is not compassion which sets out to change worldly conditions in order to ease human suffering, but if it does, it will shun the drawn-out wearisome processes of persuasion, negotiation, and compromise, which are the processes of law and politics, and

\textsuperscript{237} Bonnie Honig, \textit{Political Theory and the Displacement of Politics}, 98.
\textsuperscript{238} George Schulman, \textit{American Prophecy: Race and Redemption in American Political Culture}, 25.
lend its voice to the suffering itself, which must claim for swift and direct action, that is, for action with the means of violence.²³⁹

And so whether people have enough to eat, or whether they are permitted to eat at this or that lunch counter, it has seemed to many, are for Arendt matters belonging exclusively to the private sphere, whereas the prophetic pursuit of justice is surely no private affair. Reading Arendt as a theorist and paragon of prophecy, therefore, will require rethinking the relationship of prophecy to material need, suffering, and injustice. My claim will be that, thinking with Arendt, we can model prophecy as representing a mode of care for human want which in fact underwrites, rather than undermines, the political in Arendt’s sense.

Fourth, whereas prophecy is thought of as a matter of fundamentally moral concern, Arendt seems to refuse the applicability of morality to the political realm. Arendt, Martin Jay argues, “saw politics not merely as irreducible to socioeconomic forces, but also as unhampered by all normative instrumental constraints as well.”²⁴⁰ The interpretation of Arendt as a political-existentialist and “decisionist”²⁴¹ in the tradition of Heidegger and Schmitt, and as a champion of the Athenian pursuit of glory categorically shielded from any consideration beyond glory itself, is a common one. The “gist of Arendt’s radicalism,” George Kateb summarizes, is that “The supreme achievement of political action is existential, and the stakes are seemingly higher than moral ones.”²⁴²

Here my claim will be that Arendt’s efforts in this regard are not a rejection of moral

²³⁹ Hannah Arendt, On Revolution, 76-77.
²⁴¹ Ibid.
concern but precisely an effort to win real-world purchase for morality by rescuing it from its historical, perhaps perpetual, deformations. What this requires is the shift from morality understood as a set of impersonal rules to morality as a matter of irreducibly interpersonal respect and concern – to precisely what I have called *prophetic* normativity. If Arendt insists that conventional moral imperatives be displaced by existential ones, that is precisely because the deepest evils of human society, and our only hopes for redress against those evils, are both existential rather than conventionally moral in character. Arendt, I will show, is indeed a moral radical – in the cause of justice.

Fifth, prophets are thought of us preeminently public figures, whereas Arendt, in knowing tension with her substantial fame and influence acquired through the apparently public activities of writing and teaching, was keen to deny that she either had any interest or as a matter of fact engaged in any sustained involvement in public life. “By personal temperament and inclination,” she says, “I tend to shy away from the public realm.” And she was consistent in her skepticism toward the public-intellectual industry. If, therefore, Arendt is to be understood as a champion and paragon of the prophetic vocation, we will require an understanding of publicity consistent with a form of shyness and aversion to the limelight. Public responsibility, I suggest, is performed at least as vitally by the ostensibly private citizen as by the famous.

I focus in this chapter primarily on Arendt’s *Eichmann in Jerusalem*, her subsequent theoretical work elaborating various themes therein, and her public engagements with the challenges raised by her insertion of this work into the public sphere. Arendt is ever a profoundly offensive thinker, in the Kierkegaardian sense of

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offense – something deeply personal is felt to be at stake in, and threatened by, what she says. The most dramatic episode of the world’s taking offense at Arendt is her writing on the Eichmann trial, in which she advanced the claim that Eichmann’s evil was not demonic but “banal.” I want to understand why these interventions were so offensive, and what it meant for Arendt, understanding their offense, to redouble her energies in advancing them. What was at stake in her audience’s coming to understand the banality of evil, and what was at stake in her putting herself on the line to bring them to understand it?

It is perfectly plausible, Arendt concedes, that Adolf Eichmann was merely one cog – perhaps even a relatively small cog, all things considered – in the vastly complex machine of Nazi murder. Even the Jerusalem court, she notes, affirmed the obvious fact that “Such a crime could be committed only by a giant bureaucracy using the resources of government.”244 And it is in the nature of such a bureaucracy that its functionaries were each such that their “functions could just as easily have been carried out by anyone else.”245 It is perfectly plausible, in other words, that Eichmann was simply, entirely inessential to the Nazi’s efforts at finally solving the Jewish question – were he to have enjoyed more success as an oil-salesman and never made his fateful return to Germany in search of a career, someone with comparable logistical and transactional capacities would in all likelihood have assumed, with comparable success, the role he in fact assumed.

244 Arendt, *Eichmann*, 289.
245 Ibid.
Arendt is likewise prepared to concede that any given person, finding themselves in Eichmann’s position with its attendant pressures, may well have done precisely what Eichmann in fact did. “Here it is indeed true,” she says, “what all the defendants in the postwar trials said to excuse themselves: if I had not done it, somebody else could and would have.”\textsuperscript{246} Lastly, Arendt herself concludes that “In the Third Reich…there was only one man who did and could make decisions and hence was politically fully responsible. That was Hitler.”\textsuperscript{247} Not Eichmann nor anyone else save Hitler could decide what the Nazi machine would and would not do, and so neither Eichmann nor anyone else could have been responsible for the decision for the Nazi machine to exterminate the Jews. Save Hitler, “Everybody else from high to low who had anything to do with public affairs was in fact a cog, whether he knew it or not.”\textsuperscript{248}

But none of this, Arendt argues, was of any relevance at all to the questions at hand in Eichmann’s trial: “It was the great advantage of courtroom procedure that this whole cog-business makes no sense in its setting.”\textsuperscript{249} This is because it was \textit{Eichmann}, and not any bureaucracy, machine, system, or complex of forces that was on trial, and it was with respect to \textit{his} alleged crimes in his role as a functionary in the Nazi bureaucracy, and not the crimes of the bureaucracy in which he played a role, that the court would render a verdict of innocent or guilty. And of course it would be Eichmann, and no one or nothing else, who would be the one hanged in case of a guilty verdict. It is always only a \textit{person} who is on trial, and if that person “happens to be a functionary, he stands accused precisely because even a functionary is still a human being, and it is in

\textsuperscript{246} Arendt, \textit{Responsibility and Judgment}, 29.
\textsuperscript{247} Idem, 30.
\textsuperscript{248} Ibid.
\textsuperscript{249} Ibid.
this capacity that he stands trial.”250 “Courtroom procedure,” she reasons, simply “cannot permit the shifting responsibility from man to system.”251

For Arendt, this presupposition of courtrooms as such made inadmissible not only the defense of Eichmann as a mere cog but also the counter-purposed effort by the prosecution to bring in to view, not only the entirety of what came to be known as the Holocaust, much of which was clearly beyond the sphere of Eichmann’s competence, but also the entire sordid history of anti-Semitism from the biblical period on. Despite the justices’ best efforts at imposing discipline on the proceedings, the vast majority of the 113 witnesses called were on “background,” culled from the masses of individuals who poured forth to tell their stories of suffering, allowed to bear witness with effectively no cross-examination. Framed by the grand historical sweep of attorney general Gideon Hausner’s presentations, the trial, in other words, came to be a didactic showcase of the story of Jewish suffering beginning from the biblical Haman and extending to its culmination, the chapter in which Eichmann stood accused of having played a role. Arendt’s argument is that, however valuable this exercise it was in itself, it was not only irrelevant to but “clearly at cross-purposes with putting Eichmann on trial, suggesting that perhaps he was only an innocent executor of some mysteriously foreordained destiny.”252 History, no matter how objectively horrendous, cannot stand trial, because, like vast bureaucratic machines, history is not something we can hold to account. We can rage against the realities of history, but we cannot look history in the eye, address to it demands and expectations, and address blame to it when those demands and expectations

250 Idem, 31.
251 Idem, 32.
252 Arendt, Eichmann, 19.
are not met. It was *Eichmann*, rather, who was “a person of flesh and blood.”\(^{253}\) which is to say that he was a person whom his fellow persons could hold to account, and so who could stand trial for his crimes. Further, no matter how objectively horrendous the suffering of the witnesses and those they spoke for was, it was not the suffering itself but the alleged *crimes* that led to that suffering for which Eichmann stood trial. It is persons who are accountable, and it is, in the first place, actions that persons are accountable for.

Arendt’s response to the argument that Eichmann was a mere cog in a massive machine and thus unaccountable for his crimes is thus that (1) Eichmann, cog though he may have been, was the subject not of a social-scientific investigation but of a *trial*, (2) it is in the nature of trials to hold individuals to account as flesh-and-blood persons who are their actions authors, and so, whatever else he and his predicament represented, (3) Eichmann indeed ought to have been held account for his actions as a flesh-and-blood person. That, at least, is how she presents her argument. But it is critical to note that the conclusion follows only if we accept that Eichmann indeed ought to have been on trial in the sense Arendt intends. Suppose however that we denied this, perhaps precisely on the grounds that the systems of power and storm-winds of history in which Eichmann found himself were simply too extraordinary to allow for a meaningful trial – were such that individual human responsibility really had lost all prospect of meaning. Interpreted that way, the argument of Eichmann’s defense did not so much miss the point of the charges, as Arendt depicts the matter, as attack square-on the basis for leveling charges at all. Indeed, Arendt reports that the dominant note among the substantive responses to her own work on the trial (including, importantly, her reflections on implicated actors,

especially Jews, besides for Eichmann) was precisely the objection that “No one can judge who had not been there” along with the consequent abjuring of arrogance in “Who are we, and so who am I, to judge? Who are we to say we would not have done the same?”

Taken at face value, Arendt says, this objection appears to be no more than overwrought, “elaborate nonsense.” It is simply no part of passing judgment for the person judging to claim that they are beyond so much as hypothetical reproach. “Who has ever maintained that by judging a wrong I presuppose that I myself would be incapable of committing it?” In fact, though Arendt does not elaborate on this point here, one’s standing to judge another for a given offense may well presuppose one’s susceptibility to the very same transgression. If I am, for instance, so superior to you that I am beyond the temptation to theft, then my effort to hold you accountable for theft is vulnerable to the invalidating objection that I do not know what it is like to be in your shoes. And if it is a fact that under different conditions I might have suffered the same bad moral luck as you and so fallen into the temptation to which we are both subject, the fact remains that what we hold each other accountable for, if we do in fact hold each other accountable, is what we have actually, and not merely potentially, done. As for the claim that our distance from the events surrounding Eichmann’s and other Holocaust-era actors’ activities render us incapable of adequately discerning the relevant moral and legal conditions, Arendt simply points out that it “seems glaringly obvious that no historiography and no courtroom procedure would be possible at all if we denied ourselves this capability.”

254 Arendt, Responsibility and Judgment, 18.
255 Idem, 19.
256 Ibid.
257 Ibid.
The fact that we do in general engage in historiography and courtroom procedure thus betrays our presupposition that we do in fact take ourselves to possess this capability – we can indeed know, we presume, the nature and meaning of human actions well beyond the frame of our own solipsistic present – and so it follows that skepticism on this score cannot have been, Arendt concludes, the truest meaning of the remarkably fierce backlash against her efforts at judgment.

What was the truest meaning of that backlash? “There exists in our society a widespread fear of judging,” Arendt says,

that has nothing to do with the biblical “Judge not, that ye be not judged,” and if this fear speaks in terms of “casting the first stone,” it takes this word in vain. For behind the unwillingness to judge lurks the suspicion that no one is a free agent, and hence the doubt that anyone is responsible or could be expected to answer for what he has done…Who am I to judge? actually means We’re all alike, equally bad, and those who try, or pretend that they try, to remain halfway decent are either saints or hypocrites, and in either case should leave us alone. Hence the huge outcry the moment anyone fixes specific blame on some particular person instead of blaming all deeds or events on historical trends and dialectical movements, in short on some mysterious necessity that works behind the backs of men.²⁵⁸

²⁵⁸ Ibid.
Arendt is claiming that at issue is, in addition to a perhaps reasoned skepticism about our intellectual capacity to judge, a form of willful refusal (“unwillingness”) to engage in the activity of judgment. It is critical that the fear of and consequent unwillingness to judge pointedly do not extend to collectivities of persons. Arendt observes that people were more than eager to indict the nation of Germany through history for its crimes – “all of Germany stands accused and the whole of German history from Luther to Hitler”\(^{259}\) – and certainly had no hesitation condemning “mankind” as such. After all, it could have been any of us under the right conditions, and it likewise could have been any nation. But Arendt’s argument is that these forms of indictment are precisely evasions of real accountability, “for where all are guilty, no one is.”\(^{260}\) That is to say that guilt, if there is any such thing, applies exclusively to individual persons. It is true that nations can be held responsible, or liable, for actions the nation as such has taken, and it is true that individual citizens of those nations may suffer as a result. But that is precisely not a moral matter: If the grandchildren of a war-mongering generation still bear the burden of reparations for their grandparents’ sins, it is nothing but “sheer sentimentality,” she argues, to say that the grandchildren themselves bear their grandparents’ guilt, for they have themselves done no wrong. Judgments as to guilt – holdings to moral account – necessarily single out a particular individual, this or that person of flesh and blood, for the particular things they have done.

As with the appeals to “cog-theory” and to historical master-narratives, the pivot toward the holding to account of collectivities is therefore precisely a diversion from moral accountability as such. By way of illustration, Arendt makes reference to the

\(^{259}\) Idem, 21.
\(^{260}\) Ibid.
reaction to Ralf Hochhuth’s *The Deputy*, a play dramatizing the “singular silence” of Pope Pius XII during the Holocaust. Many, she says, essentially conceded the central charge but stressed that it is “superficial” to single out the Pope on the grounds that it is “all of Christianity” which rightly stands accused.261 And she quotes one commentator as going one step further, arguing that “No doubt, there is ground for serious accusation, but the defendant is the whole human race.”262 Arendt’s argument challenges the implied disjunction: Even if the defendant is the whole human race, does that entail that the Pope is not a defendant in his own right? Or: even if the whole human race is a defendant for its crimes, does that entail that the Pope is not a defendant just the same for his contributions to those crimes? The fact that such bald non-sequiturs swell up in response to efforts to hold flesh-and-blood individuals to account provides Arendt with the grounds for her diagnosis: “What I wish to point out…is how deep-seated the fear of passing judgment, of naming names, and of fixing blame – especially alas, upon people in power and high position, dead or alive – must be if such desperate intellectual maneuvers are being called upon for help.”263 People would rather, it would seem, “throw all mankind out of the window”264 than hold any one man to account. The cause Arendt undertakes in response is thus to save all of mankind by holding some men to account, and her project is to show how, under admittedly extraordinary circumstances, that might be done.

261 Ibid., 20.
264 Ibid.
Why indeed are we so afraid of, and therefore so unwilling to engage in, naming names and fixing blame? Why do we seek to evade judging individuals of flesh-and-blood for their crimes? Thinking with Arendt, I suggest that the fear is, not that we might ourselves be found guilty of the particular crime the charge of which we are to judge—few of us fear we will be charged, as Eichmann was, with facilitating genocide—but that we ourselves might be held to be accountable as such, from which it would follow that we could be held to account. “The law,” Arendt says, “presupposes precisely that we have a common humanity with those whom we accuse and judge and condemn.” To hold anyone, even someone like Eichmann, to account does not presume that the judger and judged are morally the same, but it does presume that judger and judged operate on the same moral plane. I can only hold you to account morally for that which you, I, or anyone else can hold me to account, and so to judge you is to implicate myself as owing moral accountability to all others. And that, it seems on Arendt’s view, is liable to be among my deepest fears. Among my greatest desires, in other words, is to be free of responsibility. And to be free of responsibility, I realize, I must deny my own capacity to judge.

We can see now that Arendt’s argument against the cog-theory is not, as formulated above, that (1) Eichmann was on trial, (2) it is in the nature of trials to hold persons to account as flesh-and-blood persons, and so (3) Eichmann ought to be held to account for his actions as a flesh-and-blood person. Rather the chain of justification is precisely the reverse: It is because Eichmann ought to be held to account for his actions as a flesh-and-blood person that we ought to put Eichmann on trial— that we ought to

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judge him, hold him to account, for his actions. To judge Eichmann, however, is to confess, not that we are guilty, but that we are ourselves vulnerable to judgment should we commit crimes of our own. If everyone is guilty, Arendt says, no one is. So too: If anyone is held to be guilty, anyone can be. But if no one can be held to be guilty – if we, as we so desperately seek to, refuse to judge – then we have created a world in which there is no responsibility. And that, Arendt sees, is truly the greatest threat. It is what we should fear the most. We must judge individuals of flesh and blood, therefore, in order to take responsibility, as individuals of flesh and blood, for our world. This puts a different spin on Heschel’s slogan: All are responsible, only if some are, or at least can be, held guilty. Insofar as we are to be responsible for what we do in the world, therefore, we must be prepared to judge. And what matters most, for Arendt, is that we are responsible, and so ought to take responsibility, for what we do in the world.

That we are all indeed responsible for what we do in the world is a kind of first axiom for Arendt, but that is not to say she regards it as beyond the need for empirical corroboration or invincible to empirical falsification. And even if the Nazi bureaucratic machine cannot simply take the place of Eichmann as the object of judgment – no matter how small a cog he was in that machine, it remains him, and not the machine, who is to be held to account – that is certainly not to say that the realities of Nazi rule have no role to play in determining how Eichmann ought to be judged. “While courtroom procedure…cannot permit the shifting of responsibility from man to system, the system cannot be left out of
account altogether.”266 This is because the system did quite clearly condition and constrain Eichmann’s possibilities for action and thus shaped the meaning of the course of action he did in fact take. In particular, it is conceivable that on account of the forces at play Eichmann could not have done otherwise than he did, and thus it is conceivable that, the axiom of personal responsibility would zero out, as it were, in this case. Where the “mitigating circumstances”267 are overwhelming enough, we may well concede that the actions taken under those circumstances were not quite actions, and so their authors ought not to be held to account for them. Someone physically overpowers me, places my finger on the trigger, aims, and pulls – here there is an act of murder, but it is not mine. It is Arendt’s conviction, however, that such cases of pure non-responsibility are exceptionally rare. And because we have a responsibility to judge, hold to account, ourselves and others for our and their crimes, we have a kind of responsibility to discern the residues of responsibility – the possibilities for responsible action – in even the most trying circumstances.

Arendt grants only a minimal hearing for the thought that either the victims or mid-level to on-the-ground perpetrators of the Nazi atrocities ought to have fought back, as this was, in the best outcome, simply to commit suicide. For the Israeli prosecution in the Eichmann trial to persistently ask the witnesses why they had not protested, simply refused to board the trains, or outright fought back – “Fifteen thousand people were standing there and hundreds of guards facing you – why didn’t you revolt and charge and attack?” – was “cruel and silly,” Arendt says, and not only because the “sad truth of the

266 Idem, 32.
267 Ibid.
“matter” was that no group or people had behaved differently.\textsuperscript{268} The more important point is brought out, Arendt says, by the “fate of those Dutch Jews who in 1941…dared to attack a German security police detachment: Four hundred and thirty Jews were arrested in reprisal, and they were literally tortured to death, first in Buchenwald and then in the Austrian camp of Mauthausen. For months on end they died a thousand deaths, and every single one of them would have envied his brethren in Auschwitz.”\textsuperscript{269} It is in any case obvious that Eichmann and those in positions like his both had no plausible prospect of stopping the regime by force and would have brought upon themselves, in the best case, certain death were they to have tried. “I think we shall have to admit,” Arendt concludes on this score, “that there exist extreme situations in which responsibility for the world…cannot be assumed…Impotence or complete powerlessness is, I think, a valid excuse.”\textsuperscript{270} Eichmann could not have stopped the Nazi menace, and so he is not to be held responsible for failing to do so.

But that is not to say that Eichmann was without options. He could, in the first place, have simply walked away – no one was holding a gun to his or any other official’s head. “It is true, he once said his only alternative would have been suicide,” Arendt remarks, “but this was a lie, since we now know how surprisingly easy it was for members of the extermination squads to quit their jobs without serious consequences for themselves.” And indeed, “In his last statement to the court Eichmann admitted that he could have backed out on one pretext or another, and that others had done so.”\textsuperscript{271} That Eichmann remained an official in the Nazi regime – and that he remained in his role as a

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\textsuperscript{268} Arendt, \textit{Eichmann}, 11.
\textsuperscript{269} Idem, 12.
\textsuperscript{270} Arendt, \textit{Responsibility and Judgment}, 45.
\textsuperscript{271} Arendt, \textit{Eichmann}, 92.
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chief logistical coordinator for executing the Final Solution – are thus facts representing genuine decisions for which he is rightly held responsible. There were many Nazi officials, however, who embraced this point in their defense, as it was, they argued, precisely the responsible decision to make. Were they to have vacated their posts due to their ethical hesitations, it is not as if those roles would have been left unfilled. The posts would have been filled quite promptly, rather, and in all likelihood, they presumed, by individuals with less moral sensitivity than they. For them to remain in their posts, therefore, represented the least of available evils, and thus, far from blame, they deserved commendation for doing the dirty but necessary work others were unwilling to do. In Arendt’s paraphrase:

We who appear guilty today are in fact those who stayed on the job in order to prevent worse things from happening; only those who remained inside had a chance to mitigate things and to help at least some people; we gave the devil his dues without selling our soul to him, whereas those who did nothing shirked all responsibilities and thought only of themselves, of the salvation of their precious souls.272

For Arendt, it is important in the first place that this defense rests on a factual falsehood: “Clearly,” she concludes her survey of the evidence, “the story of the ‘mitigators’ in Hitler’s offices belongs among the postwar fairy tales.”273 That is, it is clear that little to no mitigating ever occurred. And with respect to Eichmann in particular, it is certain that

272 Arendt, Responsibility and Judgment, 34.
273 Arendt, Eichmann, 129.
he rarely did anything less than his utmost in executing his orders. “That Eichmann had at all times done his best to make the Final Solution final was…not in dispute.”

More fundamentally, Arendt argues that the failure of even the best-intentioned officials to mitigate the Nazi evils was not coincidental but rather native to the territory of the lesser-evil argument itself. This is in part because of the sheer magnitude of the “lesser” evil in question, a magnitude so great that quantitative comparisons to the magnitude of evil resulting from hypothetical mitigation seem without meaning. “Since the evil of the Third Reich finally was so monstrous that by no stretch of the imagination could it be called a ‘lesser evil,’ one might have assumed that this time the argument would have collapsed once and for all, which surprisingly is not the case.” The value of every individual life notwithstanding, it is hard to believe there is a stable difference to personal moral sensibility between actively executing the killing of six million people and actively executing the killing of six million people minus a few dozen, or even a few hundred. And so even if it is conceded that it is after all better to save the few hundred, even at the price of personal participation in the murder of millions, Arendt’s point is that such participation will condemn even those of strong conscience to a swift descent down the slippery slope of moral oblivion. “The weakness of the argument has always been that those who choose the lesser evil forget very quickly that they chose evil.” And this, Arendt observes, is very much by design: “If we look at the techniques of totalitarian government, it is obvious that the argument of ‘the lesser evil’…is one of the mechanisms built into the machinery of terror and criminality. Acceptance of lesser evils

274 Arendt, Eichmann, 146.
275 Idem, 36.
276 Arendt, Responsibility and Judgment, 36.
is consciously used in conditioning the government officials as well as the population at large to the acceptance of evil as such.” To remain in one’s position in the Nazi regime on the grounds that it represented the lesser evil was therefore precisely to make oneself complicit in the regime’s efforts at undermining one’s sense of responsibility for evil. Since, therefore, we have a responsibility to take responsibility for evil, and since we have a consequent responsibility to oppose efforts at undermining our capacity for taking that responsibility, Nazi officials had a responsibility to not remain in their posts. One simply does not play games – attempt, by way of some pragmatic calculus, moral trade-offs – when it comes to participation in mass murder.

For that majority who did persist in their roles as public actors under the Nazi regime even as its crimes unfolded, there remains the final, most notorious excuse: they were merely following orders. Their actions were not their own, it can be claimed, in that their courses of action simply were not up to them. It was not, and should not have been, their place to question their superiors’ directives – their duty was, as is anybody’s, to obey the law of the land, and the law of their land was whatever the Führer said. “All this,” Arendt says, “sounds so plausible that it takes some effort to detect the fallacy. Its plausibility rests on the truth that ‘all governments,’ in the words of Madison, even the most autocratic ones, even tyrannies, ‘rest on consent.’” If we grant that we ought to have functioning governments – and that, in a given case, full-scale revolution is not option available to any given individual – it would seem that even Nazis ought to grant their government the consent on which it rests, lest it not rest. “The fallacy,” Arendt continues, “lies in the equation of consent with obedience. An adult consents where a

277 Idem, 36-37.
278 Idem, 46.
child obeys.” A child *obeys* in the sense that they accept their parents’ or teachers’ directives without question or hesitation. Even where they are tempted to flout those directives, those directives’ authority is never in doubt; hence, they obey, or they disobey.

Adults, however, can and do question and discriminate among the orders they receive, and so “If an adult is said to obey, he actually supports the organization or the authority or the law that claims ‘obedience’” Adult obedience to governmental orders, in other words, represents a *choice* for which we are responsible and which, unlike a stone’s obedience to the law of gravity, bears an expressive human meaning, namely, support for the authority of the party issuing the orders. Fundamentally free consent is for Arendt constitutive of structures of power as such:

> *Power* corresponds to the human ability not just to act but to act in concert.
> 
> Power is never the property of an individual; it belongs to a group and remains in existence only so long as the group keeps together. When we say of somebody that he is “in power” we actually refer to his being empowered by a certain number of people to act in their name. The moment the group...disappears, “his power” also vanishes.

It is possible, of course, for individuals to force others to bend to their will in absence of consent – all that is needed is the exercise of comparatively greater force by a master upon their subjects. But in Arendt’s jargon, such relations are underlain by *violence*.

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279 Ibid.
280 Ibid.
281 Arendt, *On Violence*, 44.
rather than power. And violence, precisely because it operates against rather than with the consent of others, is rarely adequate for sustaining anything like a stable governmental structure. Imagine if Hitler had had to keep all of Germany, his own intimates included, in check by nothing but the threat of sheer violent force.

What a Hitler requires to maintain his power, rather, is not the obedience but the willing consent – the support – of his compatriots. For as long as Hitler did indeed maintain his power, therefore, it follows that he indeed enjoyed the support at the least of those who followed his orders. “No man, however strong, can ever accomplish anything, good or bad, without the help of others,” and therefore “Those who seem to obey him actually support him and his enterprise; without such obedience he would be helpless, whereas in the nursery or under conditions of slavery – the two spheres in which the notion of obedience made sense and from which it was then transposed into political matters – it is the child or the slave who becomes helpless if he refuses to ‘cooperate’.”

In conclusion, those who “followed orders” did not merely follow orders, did not follow orders in the way a rock obeys the law of gravity or a small child heeds her parent’s exhortation to stay clear of the oven. Since they were flesh-and-blood adult persons, rather, in following the orders they offered their free consent to the authority of he who gave the orders, and so actively provided the support necessary for his continued power. If no one shows up to work, even Hitler cannot maintain a regime; to show up to work in the Hitler regime, therefore, is to support that regime in word and deed. That is, one not only contributes to the regime’s success, but expresses, performs, their commitment to its continued success. They are, and make clear to others that they are, for the regime. And

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282 Arendt, Responsibility and Judgment, 47.
for that, Arendt argues, they are surely responsible, as they ought, at the least, to have simply stayed home.

If open rebellion would have accomplished nothing at extraordinary cost, and efforts at securing the “lesser” evil while participating in the regime were delusional at best, then practically speaking “The only possible way to live in the Third Reich and not act as a Nazi was not to appear at all.”283 Granting, however, that this method promised the non-trivial benefit of keeping one’s hands clean, would the world really have been better off for it? Would it have made a difference? Arendt has little doubt:

The nonparticipators in public life under a dictatorship are those who have refused their support by shunning those places of “responsibility” where such support, under the name of obedience, is required. And we have only for a moment to imagine what would happen to any of these forms of government if enough people would act “irresponsibly” and refuse support, even without active resistance and rebellion, to see how effective a weapon this could be. It is in fact one of the many variations of nonviolent action and resistance – for instance, the power that is potential in civil disobedience – which are being discovered in our century.284

Precisely since participating in the regime was itself an expressive performance of support granting power to the regime, declining to participate would have been an expressive performance of opposition detracting power from the regime. In simply being

for or against developments in the world, and making our support or opposition manifest, we wield considerable power – we make a difference in the way the world is. Where such power is coordinated with the power of others, we achieve the greatest power there is, because there is no true power other than the coordinated support of individual persons. For an individual to decline to exercise this power, therefore, is paradigmatically irresponsible, and all others concerned about the world rightly hold that individual to account for their failure.

It has largely escaped notice that a large section of *Eichmann in Jerusalem* is in fact devoted to corroborating, by way of a region-by-region catalogue of Eichmann’s success in pursuit of the Final Solution, the real-worldly power of expressive opposition to societal evil. Arendt observes that “Germany, even in the brightest days of the war, depended on local good will and cooperation everywhere.” The rounding up and transportation of any given area’s local Jews was not generally a project the Nazis could accomplish through the application of sheer force – even if there were to have been an amount of sheer force that would have been adequate in this respect, that amount of force was not generally one for which the Nazis had adequate capacity. As such, the willing support of the local powers-that-be was always required. But that, Arendt argues, entails that the Nazi program could have been meaningfully thwarted to the extent such cooperation was withheld.

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Hungary serves as something of a control case. When Eichmann moved his office to Budapest at the relatively late stage of March, 1944, “his worst fear concerned possible resistance on the part of the Hungarians, which he would have been unable to cope with, because he lacked manpower also lacked knowledge of local conditions. These fears proved quite unfounded.”

In fact, Eichmann successfully and without impediment established strong working relationships with various state officials in the Interior Ministry and police force such that, “With their help, Eichmann could be sure that everything, the issuance of the necessary decrees and the concentration of the Jews in the provinces, would proceed with ‘lightning speed.’” He likewise succeeded without impediment in organizing a local Jewish Council, enjoying eager cooperation, as well as a bounty of ultimately pointless bribes, from every sector of the Jewish community in exchange for skillfully spun fantasies of modest hope. In the end, over a half million Jews were murdered, and of a population of about 800,000 Jews, “some hundred and sixty thousand must still have remained in the Budapest ghetto – the countryside was judenrein – and of these tens of thousands became victims of spontaneous pogroms.”

Even in Hungary, however, cooperation was not total. The process would have been still more efficient were it not for the fact that the Hungarian leadership had been “deluged with protests from neutral countries and the Vatican,” at which point the Hungarians demanded the end of the deportations. Albeit only after Eichmann had managed to spirit away one last train to Auschwitz, the order was heeded, and though the Nazis eventually overthrew the

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286 Arendt, Eichmann, 140.
287 Idem, 200.
Hungarian government and reclaimed control, by then the train lines to Auschwitz were no longer operational, and so they had to make do with death marches. It was far too late and far too little, but just as eager cooperation had so greatly facilitated the Nazi program, refusing support did at least temporarily “mitigate” its results.

France too began as an eagerly willing accomplice to the project. It was in fact chosen in 1942 to enjoy first priority among countries outside the Reich proper in the execution of the Final Solution, in part because “the Vichy government had shown a truly amazing ‘understanding’ of the Jewish problem and had introduced, on its own initiative, a great deal of anti-Jewish legislation.” The expectation of ready cooperation made France an attractive first foreign gambit. The decision was made to start with Jews not possessing French citizenship – Arendt remarks that this was a concession to the distinctively French brand of anti-Semitism which, she says, was “intimately connected with a strong, generally chauvinistic xenophobia” – with initial plans to deport one 100,000 Jews. This was, Arendt observes, a “considerable undertaking, which needed not only the agreement of the Vichy government but the active help of the French police,” agreement and active help which were at first at ready offer, and 27,000 stateless Jews were indeed deported to Auschwitz. “Then,” Arendt says,

the Germans made their first mistake. Confident the French had by now become so accustomed to deporting Jews that they wouldn’t mind, they asked for permission to include French Jews also – simply to facilitate administrative matters. This caused a complete turnabout; the French were adamant in their

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289 Idem, 163.
290 Ibid.
refusal to hand over their own Jews to the Germans. And Himmler, upon being informed of the situation...immediately gave in and promised to spare French Jews.  

By that time awareness of the true meaning of “deportation” had reached France, and “while the French anti-Semites, and non-anti-Semites too, would have liked to see foreign Jews settle somewhere else, not even the anti-Semites wished to become accomplices in mass murder.” As such, the French began to consistently refuse their cooperation and generally make “such endless difficulties” that the Nazis were eventually forced to drop their plans for further deportation altogether. All told, the result was that no more than 20 percent of the total Jewish population of France was deported. Arendt concludes: “The Nazis, it turned out, possessed neither the manpower nor the will power to remain ‘tough’ when they met determined opposition.” Not tanks or guns but simply enough people willing to say no was enough to grind the machine to a halt. 

Already when initially proposing the Final Solution the Nazis expected that Scandinavia would prove particularly resistant. In Norway, however, the Germans were able to set up government led by Vidkun Quisling and his anti-Semitic, pro-Nazi party, and virtually all of Norway’s population of 1,700 mostly stateless Jews were rounded up in 1942. “When Eichmann’s office ordered their deportation to Auschwitz,” however, “some of Quisling’s own men resigned their government posts.” 

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291 Ibid, 165.
292 Ibid.
293 Ibid.
294 Idem, 170.
295 Ibid.
officials in an avowedly anti-Semitic party, whose careers and political fortunes depended on their alignment with the Nazi agenda, simply refused to lend their support to mass-murder. Meanwhile, Sweden intervened more dramatically, offering asylum and in some cases outright citizenship to the victims, and all told more than half of the Jews were saved.

It is for Denmark, however, that Arendt reserves her highest commendation. “The behavior of the Danish people and their government was unique among all the countries of Europe…One is tempted to recommend the story as required reading in political science for all students who wish to learn something about the enormous power potential in non-violent action and in resistance to an opponent possessing vastly superior means of violence.”296 Other countries, it is true, were comparably “immune” to anti-Semitism, but “only the Danes dared speak out on the subject to their German masters. When the Germans approached them rather cautiously about introducing the yellow badge, they were simply told that the King would be the first to wear it, and the Danish government officials were careful to point out that anti-Jewish measures of any sort would cause their own immediate resignation.”297 As a result of this simple defiance, “everything went topsy-turvy.”298 The problem was that even when Himmler decided that the time had come to press forward in rooting out Danish Jewry, “the German officials who had been living in the country for years were no longer the same,” with both the local military commander refusing to assign troops to the Reich plenipotentiary as ordered and the S.S. Einsatzkommandos “very frequently” objecting to their directives.299 The Nazis

296 Idem, 171.
297 Ibid.
298 Idem, 172.
299 Idem, 172-173.
themselves, Arendt concludes, could not maintain even their own conviction in the face of popular resistance. Eventually the Nazis were able to muster the resources and manpower necessary for deporting the 7,800 Jews, but since the Danish police refused to participate, it was necessary to import German police who, out of fear of Danish interference, were unable to break into apartments and could thus seize only those Jews who voluntarily opened their doors. Meanwhile, it seems the Jewish leadership had been tipped off by the Danish – who were themselves tipped off, Arendt suspects, by the Reich plenipotentiary – and all but 477 thus managed to flee into hiding. Those who escaped were then given safe passage to Sweden, with the cost of transportation for those without means borne largely by wealthy Danish citizens, a mode of support enjoyed by fleeing Jews virtually nowhere else. Those who were captured, meanwhile, were taken to the Theresienstadt ghetto, where “they enjoyed greater privileges than any other group because of the never-ending ‘fuss’ made about them by Danish institutions and private persons.” In sum, “Under the pressure, or public opinion, and threatened neither by armed resistance nor by guerrilla tactics, the German officials in the country changed their minds; they were no longer reliable, they were overpowered by what they had most disdained, mere words, spoken freely and publicly.” Mere words, spoken freely and publicly – these, and not the machines of war, are for Arendt the source of authentic power. We are thus accountable for how we do, and don’t, make use of them. When all else fails, we ought to at least make a fuss.

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300 Idem, 174.
301 Ibid.
302 Arendt, Responsibility and Judgment, 7.
Particularly impressive in all of this to Arendt was the deeply *principled* manner of the Danish resistance. It was a critical component of the Nazi program that they did not begin their persecutions in a given locale with a comprehensive targeting of all Jews but rather, in order to minimize resistance, focused on specific categories of person the persecution of which the local populace was more likely to tolerate. Even in Germany itself, carving out exemptions for Jews with records of military service, German Jews, and Jews of German-*born* descent “helped put to rest a certain uneasiness among the German population.”  

It was in this way after all not Jews *as such* who were targeted – “only Polish Jews were deported, only people who had shirked military service, and so on” – and this allowed the possibility that any given Jew, and especially those otherwise enjoying greater-than-average social capital, might make of themselves an exception. “What was morally so disastrous in the acceptance of these privileged categories,” Arendt observes, “was that everyone who demanded to have an ‘exception’ made in his case implicitly recognized the rule.”

This was once again the Nazi tactic of winning unmitigated cooperation by offering participants the hope of securing a marginally lesser evil – once individuals rationalized their participation in so monstrous an evil, they were bound to forget they had chosen evil at all. Here, once individuals accepted the proposition that Jews were not to be protected *as such*, even for the sake of rescuing at least some categories of Jew, the levees would no longer hold. And yet this was a proposition individuals across Europe were powerfully inclined to accept. It is thus

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303 Arendt, *Eichmann*, 133.
304 Ibid.
305 Ibid.
of particular salience that the Danish people, when offered the opportunity to focus the deportations exclusively on non-citizens, resisted even this mitigating strategy.

It was decisive in this whole matter that the Germans did not even succeed in introducing the vitally important distinction between native Danes of Jewish origin, of whom there were about sixty-four hundred, and the fourteen hundred German Jewish refugees who had found asylum in the country prior to the war and who now had been declared stateless by the German government... The Danes, however, explained to the German officials that because the stateless refugees were no longer German citizens, the Nazis could not claim them without Danish assent. This was one of the few cases in which statelessness turned out to be an asset, although it was of course not stateless per se that saved the Jews but, on the country, the fact that the Danish government had decided to protect them. Thus, none of the preparatory moves, so important for the bureaucracy of murder, could be carried out, and operations were postponed until the fall of 1943.\(^{306}\)

It was decisive, in other words, that the Danish not only resisted the deportations in general but resisted the very idea of distinguishing among persons with respect to their basic rights. The Danish, Arendt stresses, did not go so far as to grant the Jewish refugees citizenship or even so much as the right to work. That the refugees deserved asylum, however, was for the Danish a given, and they recognized that to compromise on this

\(^{306}\) Idem, 172.
principle was, sooner or later, to compromise on all principles. This was, Arendt says, “the result of an authentically political sense, an inbred comprehension of the requirements and responsibilities of citizenship.” The Danish resisted the Nazi program by publicly affirming, through mere words, their responsibilities as citizens as such – they simply refused to forego political responsibility. That much was all it took to stop the Nazi machine in its tracks, but it did take that much.

For Arendt, it follows from these and other examples – she offers Italy and Bulgaria as exemplary cases as well – that for someone like Eichmann to claim that, because their capacities were obviously no match for the Nazi military apparatus, there was nothing they could have done to oppose the Nazi crimes, was false: Opposition, even by way of simply refusing cooperation and support, could and often did make a difference, because it is words and not militaries that are the ultimate media of worldly power.

To establish that it is indeed reasonable to charge persons with failure on this front, however, two further questions must be resolved. First, while Arendt has arguably shown that political opposition to Nazi power could and often did make a difference, it is not obvious that political action is always a possibility for individual persons, especially in the context of the distinctive challenges, known to us from Arendt’s work, presented by totalitarian societies. For Arendt to complete her case, therefore, it must be shown that individual persons virtually always enjoy the possibility of joining with others in

307 Idem, 179.
principled action for the sake of the world. Further, if individuals are to be held to account for their failures of action as individuals, it must be shown that and how the actions of individual persons can achieve political effect. Second, if someone in a position like Eichmann’s is to be held to account for their failure to take a stand against some or another public policy, it must be the case that such persons virtually always can come to recognize that they ought to take a stand against that public policy. But, particularly under totalitarian conditions, where public dissent is effectively eliminated, it is not obvious that and how any given individual is supposed to be able to so much as see that what everyone says is right is indeed wrong. For Arendt to complete her case, therefore, it must be shown that and how moral discernment is virtually always possible and so a task for which we are virtually always responsible. I consider Arendt’s argument on the second point first.

“As Eichmann told it,” Arendt writes, “the most potent factor in the soothing of his own conscience was the simple fact that he could see no one, no one at all, who actually was against the Final Solution.” And while it is quite true that we do expect an individual soldier, for instance, to disobey manifestly unlawful orders from his superior where those orders “run counter to his ordinary experience of lawfulness and hence can be recognized by him as criminal,” Arendt argues that Eichmann would have had the exactly opposite experience: His ordinary experience of lawfulness was determined precisely by whatever it was that the Fuhrer had ordered, and so if the Fuhrer had ordered that he facilitate genocide, what would be recognizable as “criminal” would be precisely to not facilitate genocide. Our usual expectations in this regard, embraced by the

308 Arendt, Eichmann, 116.
Jerusalem court, rest on the idea that “orders to be disobeyed must be ‘manifestly unlawful’ and unlawfulness must ‘fly like a black flag above them [the] as a warning reading: ‘prohibited’.”

Soldiers ought to defy orders if and only if those orders, because they are so wildly out of step with the broader legal order – imagine a commander ordering her soldiers to kill a group of clearly unarmed children – appear unlawful on their face. In Nazi Germany, however, the challenge was precisely that the broader legal order was itself criminal, such that non-criminality is what appeared manifestly unlawful. “In a criminal regime this ‘black flag’ with its ‘warning sign’ flies as ‘manifestly’ above what normally is a lawful order – for instance, not to kill innocent people just because they happen to be Jews – as it flies above a criminal order under normal circumstances.”

Eichmann’s orders, in other words, were not exceptional with regard to but exactly representative of the broader legal regime in which he operated. Whereas under normal circumstances the soldier ordered to fire on unarmed children could dismiss their commander as having forfeited, by giving such an order, their authority within the regime to give orders, for Eichmann to have rejected Himmler’s directives would have been for Eichmann to excise himself from the regime of law. If the argument against the just-following-orders defense is that these orders from the regime flew in the face of the deepest principles the regime stands for, then that argument will surely fail in the Nazi case.

Arendt argues further that to hold Eichmann to account on the grounds that everyone can simply feel, against every available indication, that certain courses of action simply are wrong is unjustly optimistic with respect to the facts, which were that in the

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309 Idem, 148.
310 Ibid.
span of a few years the Nazis had wrought a “total moral collapse” in German society.\footnote{Idem, 126.} Arendt was particularly struck by the “as it were, honest overnight change of opinion that befell a great majority of public figures in all walks of life and all ramifications of culture.”\footnote{Arendt, \textit{Responsibility and Judgment}, 24.} Importantly, there were select individuals who “from the very beginning of the regime and without ever wavering were opposed to Hitler,”\footnote{Arendt, \textit{Eichmann}, 103.} but these were the exception that proved the rule, which was that the most lawful, moral, decent, and religious persons – people who under the old regime would never have done anything criminal – were prepared on a moment’s notice to turn a blind eye to, if not enthusiastically endorse, a regime of gratuitous murder. “It was,” she says, “as though morality, at the very moment of its total collapse within an old and highly civilized nation, stood revealed in the original meaning of the word, as a set of \textit{mores}, of customs and manners, which could be exchanged for another set with no more trouble than it would take to change the table manners of a whole people.”\footnote{Arendt, \textit{Responsibility and Judgment}, 43.} As a matter of observation, strict prior adherence to a governing moral code – legal, religious, or cultural – on the part of an individual bore no correlation to adequate moral judgment when the governing moral code shifted around them. If anything, Arendt says, the opposite was true, as it was precisely those most scrupulous in their adherence to governing morals/mores – those whose moral sense had been the surest – who were the quickest to join in the reversal. It simply is not the case, she concludes, that everyone or even most people enjoy an inborn or inbred sense that a course of action like murdering Jews is wrong. If there is such a universal inborn sense, rather, it is that whatever society at
present says is right is right. And so, in judging someone like Eichmann, “To fall back on an unequivocal voice of conscience…not only begs the question, it signifies a deliberate refusal to take notice of the central moral, legal, and political phenomena of our century.”315

The question, then, is whether we each have a way of securing moral guidance that is neither a matter of adherence to the underlying spirit of one’s land’s law, nor a matter of simply inspecting one’s soul for a ready-made, always-already inbred answer. Acknowledging that this is a “rather optimistic view of human nature,” Arendt’s conviction is that in fact we all possess such a capacity, namely “an independent human faculty, unsupported by law or public opinion, that judges in full spontaneity every deed and intent anew whenever the occasion arises.”316 That is, she claims, we are all in principle capable of reaching the right answer on moral questions even where that answer goes against everything our society tells us and is unsupported by any clear precedent. Everyone of significance in Eichmann’s world went along with the Final Solution without objection, and no one in history had ever quite faced the moral predicament Eichmann and his colleagues found themselves in, and yet Eichmann could have, and so ought to have, performed an act of spontaneous judgment to determine that he ought to have at least resigned his post. Eichmann, like all persons, was at least formally capable of thinking – for and with himself – and if he failed to think, as Arendt judges he so fantastically did, then he is justly held accountable for the deliverances of that failure.

So far as Arendt could discern, Eichmann was not demonically evil, in that he did not intend evil as such. “Everyone could see,” she says, “that this man was not a

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315 Arendt, Eichmann, 148.
316 Arendt, Responsibility and Judgment, 41.
‘monster.’”\textsuperscript{317} That is, he did not, upon due reflection, choose to facilitate genocide on the grounds that genocide is evil and evil is what he ought to do. He was “not Iago and not Macbeth, and nothing would have been further from his mind than to determine with Richard III ‘to prove a villain.’”\textsuperscript{318} In the \textit{Eichmann} book this verdict is presented as a largely empirical one, grounded in Arendt’s observations that Eichmann did not manifest the stature, conviction, or passion one would expect from a genuine villain. He might have stood tall, looked his accusers in the eye, and declared that he would do it all again if he could – but he did not. Upon subsequent questioning and reflection, however, Arendt’s true conviction turned out to be that there simply are no such villains in real life: “It is indeed my opinion now that evil is never ‘radical,’ that it is only extreme, and that it possesses neither depth nor any demonic dimension. It can overgrow and lay waste the whole world precisely because it spreads like a fungus on the surface. It is ‘thought-defying’…because thought tries to reach some depth, to go to the roots, and the moment it concerns itself with evil, it is frustrated because there is nothing.”\textsuperscript{319} Evil, Arendt says, cannot be comprehended by thought – it is “thought-defying” – and that is because, she implicitly claims, the practice of evil by an agent is incompatible with the practice of thought. Arendt makes the claim that only those who think can, when “the chips are down,” stay clear of evil, and offers the further, logically distinct, and generally remarkable thesis that those who think do not do evil. If, then, everyone is capable of thinking, it follows that anyone who does evil is justly held to account for that evil on the grounds of their implied failure to think. And Eichmann, Arendt asserts, was guilty of

\textsuperscript{317} Arendt, \textit{Eichmann}, 54.

\textsuperscript{318} Idem, 287.

\textsuperscript{319} Arendt, “A Letter to Gershom Scholem” in \textit{The Jewish Writings}, 471.
that charge, indeed guilty in so extraordinary a way as to be exemplary of thoughtlessness as such.

This point has generated a great deal of confusion and consternation on the part of Arendt’s readers. Leaving aside for the moment the pathos-ridden accusation that to attribute Eichmann’s crimes to thoughtlessness rather than monstrous intent was to diminish both the crimes and the criminality of the criminal, it is argued that Eichmann was in fact relatively intelligent and that he in fact (largely unbeknownst to Arendt) articulated elaborate philosophical justifications for his conduct. “Eichmann,” Bettina Stangneth observes, “was capable of powerful arguments.” Furthermore, “Eichmann was familiar with philosophical ideas that were by no means part of a general education: in addition to Kant, Nietzsche, and Plato, he also mentioned Schopenhauer and – in all seriousness – Spinoza, the greatest Jewish philosopher.” And he was a gifted dialectician to boot:

From his cell, he conducted a debate on the principles of religious philosophy with a fundamentalist Christian. He was desperate to win him over to the far-right cause, and some of his arguments were so masterfully constructed that the theologian exclaimed in exasperation: ‘If you had stuck to your childish beliefs and not gotten involved in the philosophical ideas of Spinoza and Kant, you could now be living a normal life.”

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321 Ibid.
322 Ibid.
Eichmann’s was thus not only a gifted but an applied intellect – thoughtless he was not. And yet he never hesitated in his duties, and to the end evinced no regret. “To unbalance one of the most effective mass murderers in history,” Stangneth concludes, “the ability to think in itself was not enough.”

But Arendt’s claim is not that intelligence – the ability to compute, reason, analyze, learn and manipulate ideas, and so on – is incompatible with the practice of evil. If that were so, it would follow that only true brutes, should there be any, were capable of evil. And since brutes are not capable of evil as such – their doings represent the workings of natural forces rather than personal intentions – it would follow that there can be no evil. But there can be evil, and in any case it is obvious that evil is often practiced by persons exhibiting considerable intellectual gifts, and even by persons who have read Kant and Spinoza. Lastly, Arendt also cannot mean that exceptional, or even above-average intelligence is necessary for the avoidance of evil, as, since it is her position that under totalitarian conditions it is only the failure to think which can ground one’s responsibility for evil, it would follow that only the exceptionally intellectually gifted could be justly held responsible for evil. But it is no part of Arendt’s picture that a high IQ or even a good university education are necessary for moral culpability under totalitarian conditions. “If,” she says, “the ability to tell right from wrong should turn out to have anything to do with the ability to think, then we must be able to ‘demand’ its exercise from every sane person, no matter how erudite or ignorant, intelligent or stupid, he may happen to be.” If Arendt’s claim is that thinking is incompatible with evil, therefore, she must intend “thinking” in a more specialized sense. Much and however

323 Idem, 225.
well as Eichmann may have thought, the problem remained that he did not think. “It was,” Arendt says, “not stupidity but thoughtlessness.”\textsuperscript{325} To understand Arendt, then, we will have to discern that sense of thoughtlessness which is not stupidity.

Arendt’s most persistent exhibit of the thoughtlessness she alleged of Eichmann is what she describes as his pervasive reliance on “clichés” in his speech. The coup de grace of Arendt’s case on this point, introduced on the final page of \textit{Eichmann in Jerusalem}, is her report of Eichmann’s final words standing under the gallows:

He began by stating emphatically that he was a \textit{Gottgläubiger}, to express in common Nazi fashion that he was no Christian and did not believe in life after death. He then proceeded: “After a short while, gentleman, we shall meet again. Such is the fate of all men. Long live Germany, long live Argentina, long live Austria. \textit{I shall not forget them.”} In the face of death, he had found the cliché used in funeral oratory. Under the gallows, his memory played him the last trick; he was “elated” and he forgot that this was his own funeral.\textsuperscript{326}

At this most pregnant moment, Eichmann, “In complete command of himself,”\textsuperscript{327} not only spoke in a string of borrowed words but did so apparently without a thought to their conceptual coherence or to their appropriateness to his case. These words of Eichmann’s, in other words, express nothing of Eichmann, and this is because they bear no apparent relation to any personal reflection, any thinking, on the part of Eichmann – such a string

\textsuperscript{325} Idem, 4.
\textsuperscript{326} Arendt, \textit{Eichmann}, 252.
\textsuperscript{327} Ibid.
of words could be the product of technical skill in linguistic manipulation, but not of thought. Arendt quotes Eichmann as at what point apologizing to the judges that “Officialese [Amtssprache] is my only language." This is surely accurate enough, Arendt says,

but the point here is that officialese became his language because he was genuinely incapable of uttering a single sentence that was not a cliché…Eichmann, despite his rather bad memory, repeated word for word the same stock phrases and self-invented clichés (when he did succeed in constructing a sentence of his own, he repeated it until it became a cliché) each time he referred to an incident or event of importance to him. Whether writing his memoirs in Argentina or in Jerusalem, whether speaking to the police examiner or to the court, 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.

For Arendt, then, Eichmann’s exemplary thoughtlessness consisted in the first place in his inability, evidenced by his failure to utter words in fresh combinations, to reflect on his own inner goings-on.

Intriguingly, Arendt is careful to make clear that the connection between thoughtlessness and language is not incidental and not merely evidentiary. When she says that Eichmann’s “inability to speak was closely connected with an inability to think,” she

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328 Idem, 49.
329 Ibid.
continues with the clarification “namely, to think from the standpoint of somebody else.” That is, the inability to reflect on one’s own inner goings-on is intrinsically a matter of the inability to take up another’s point of view, and so results in a consequent inability to communicate with others. “No communication was possible with him.”

What this means becomes clearer in later essays where Arendt elaborates her understanding of “consciousness,” on which, insofar as we are conscious, we are already “two-in-one”:

> We call consciousness (literally, ‘to know with myself’) the curious fact that in a sense I also am for myself, though I hardly appear to me…I am not only for others but for myself, and in the latter case, I clearly am not just one…The curious thing that I am needs no plurality in order to establish difference; it carries the difference within itself when it says: “I am I.” So long as I am conscious, that is, conscious of myself, I am identical with myself only for others to whom I appear as one and the same. For myself, articulating this being-conscious-of-myself, I am inevitably two-in-one.

Thinking, then, is for Arendt fundamentally a kind of conversation carried on between oneself and oneself. Like all genuine conversations, this conversation is fundamentally open-ended, a matter of making meaning rather than discerning already-fixed truths.

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330 Ibid.
331 Ibid.
332 Arendt, “Thinking and Moral Considerations” in Responsibility and Judgment, 185.
333 Arendt appeals here to Kant’s distinction between Vernunft and Verstand, which she insists be translated reason and intellect: “The distinguishing of the two faculties, reason and intellect, coincides with a distinction between two altogether different mental activities, thinking and knowing, and two altogether different concerns, meaning, in the first category, and cognition, in the second…The need of reason is not
This is all the more the case when the topic of conversation with oneself is oneself: “The fashionable search for identity is futile,”\textsuperscript{334} Arendt says, since this search is necessarily carried on by way of a conversation between two parties, and to find a settled answer to the question of the self’s identify would be for the self to be identical to itself through time. And if the self is identical to itself, then the self can no longer carry on a conversation with itself, for the self is no longer two. Thus, “Our modern identity crisis could be resolved only by losing consciousness.”\textsuperscript{335} Insofar as one thinks about oneself, then, what is under discussion is not so much who one is as who one ought to, and will, be.

To make clear the connection between self-reflection in this sense and the avoidance of evil, Arendt appeals to two connected propositions of Socrates found in the \textit{Gorgias}. In her rendering: (1) “It is better to be wronged than to do wrong,” and (2) “It would be better for me that my lyre or a chorus I directed should be out of tune and loud with discord, and that multitudes of men should disagree with me rather than that I, \textit{being one}, should be out of harmony with myself and contradict me.”\textsuperscript{336} The second proposition, Arendt points out, is “highly paradoxical,” as it is precisely on the premise that he is \textit{one} that it is supposed to be problematic for him to be out of harmony with himself, a state which would seem to require that he be other than one. “You always need two tones,” she says, “to produce a harmonious sound,”\textsuperscript{337} as well, to be sure, to produce a dissonant sound. Socrates’ premise, then, is that the experience of consciousness, which

\textit{inspired by the quest for truth but by the quest for meaning. And truth and meaning are not the same”} (Arendt, \textit{The Life of the Mind}, 14-15).


\textsuperscript{335} Ibid.


\textsuperscript{337} Idem, 183.
reveals to us that we are indeed two-in-one and that there is difference within our oneness, entails a kind of normative charge: Given that we are split within ourselves, we ought, and naturally want, to be in harmony with ourselves: “For Socrates, this two-in-one meant simply that if you want to think you must see to it that the two who carry on the thinking dialogue be in good shape, that the partners be friends.”338 This, Arendt says, then explains the first proposition: “It is better for you to suffer 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 a murderer. What kind of dialogue could you lead with him?”339

It is important for Arendt that the proposition that it is better to suffer than to do wrong does not make sense from an impersonal perspective, as in either case the same number of wrongs are suffered. The proposition makes sense, rather, from a first-personal point of view: I would not want to be the one who commits the wrong. But this first-personal point of view is grounded in second-personal frame: I would not want to be the one to commit the wrong because I would hold myself accountable – I would address a claim of responsibility to myself – for committing that wrong. But the availability of that second-personal frame presupposes that I am a thinking person, for it is only in the process of thought that I carry on a conversation with, and so can confront, myself. And the more I think, the more it will matter to me that I be in harmony with myself, and so the more motivated I will be to stay clear of evil, not because to do evil would be to violate this or that given rule, but because to do evil would be out of tune with the kind of person I, upon consideration, would want myself to be.

338 Idem, 185.
339 Ibid.
If I am so morally fortunate as to find myself residing in a community of virtue, where the structures of power discourage wrongdoing and my companions will hold me to account should I veer astray, then I may well succeed in thoughtlessly avoiding evil. But since such conditions cannot be taken for granted, if I want to reliably avoid evil I must hold *myself* accountable. To do this, I must devote myself to the practice of thought. I must “live explicitly” with myself.340

Insofar as I do, I will find myself able and compelled to hold myself accountable for my words and deeds: In carrying on the conversation with myself as to who I ought to be, I will avoid crossing any lines such that this conversation could not palatably continue further. If, on the other hand, I wish to do evil – or simply to do whatever my community orders me too, whatever promises the most worldly gain, etc. – I will have to avoid holding myself accountable. And since in thinking I am confronted with myself and so inevitably hold myself to account, I will have to avoid thinking. But since, insofar as I am conscious at all, I am always two-in-one, reliably avoiding the conversation that is thought will require that I shape my use of *language* such as to preclude effective conversational communication. This, for Arendt, is the function of clichés: By saturating the conversational with space with borrowed words – words that do not give expression to the *who* of their present utterer – I can protect myself from confronting myself with who I am becoming. In this way I will continue talking with myself – words will be exchanged – but can free this experience of talking from the pressures of genuine *conversation*, in which there are two sides, each able to surprise the other and so to generate new lines of thought. “Eichmannism is a monologue,” wrote Shlomo Kulcsar,

the Israeli psychiatrist charged with evaluating the accused.\textsuperscript{341} And that, if Arendt is right, is what Eichmann needed Eichmannism to be in order to allow himself the latitude to do what he did.

To reliably avoid doing evil, it emerges, I must ensure that the exchange of words between me and myself takes the form of a genuine conversation, and this requires that I recognize myself as a person to whom I am accountable to for respecting as a person with whom I am in genuine conversation. That is, I must see that I owe it to my conversation partner to use language only for the sake of eliciting free understanding and consent based on the force of the better argument, as Habermas puts it, rather than on manipulation. Where my conversation partner is a free other – as all genuine conversation partners are – this will require that I be able and willing to take their perspective in the course of structuring my arguments. Insofar as I fall short in this, my conversation with myself will to that extent become a monologue, as I will be talking at rather than to myself, and I will thus be in default of the accountability I owe to myself. Seyla Benhabib argues that Arendt fails to achieve coherence in conceiving the relation between solitary thinking and judgment along the lines of Kant’s “enlarged mentality.” Insofar as thinking is an effort to be “at home” with ourselves, Benhabib argues, we are liable to ignore the viewpoints of others so as not to upset our own equilibrium. Thus, “Arendt fails to convince that an attitude of moral reflection and probing…and the platonic emphasis on unity or harmony of the soul with itself can be reconciled.”\textsuperscript{342} What Benhabib’s argument fails to take seriously, however, is that for Arendt, to be authentically at one with oneself

\textsuperscript{341} Shlomo Kulcsar, “De Sade and Eichmann,” in \textit{Mental Health and Society} 3 (1976), 108.

is to be fully *two-in-one*. It is to be accountable to oneself precisely as an other bearing a perspective independent of one’s own. If the goal is a kind of equilibrium, it is necessarily a dynamic one, subject to constant internal threat. The goal is not simple unanimity but irreducibly, actively complex consensus.

The most fundamental flaw in Eichmann’s character, Arendt writes, “was his almost total inability ever to look at anything from the other fellow’s point of view.” This, again, is what Arendt understands by her claim of Eichmann’s inability to think, and it has as its consequences both (1) the impossibility of communication and (2) a resulting freedom from *reality*:

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. No communication was possible with him, not because he lied but because he was surrounded by the most reliable of all safeguards against the words and presence of others, and hence against reality as such.344

If I am shielded from genuine conversation with others, including myself, then I am left without the possibility of checking my view of the world against that of others, and so reality cannot be reliably distinguished from delusion. The world, for Arendt, is constituted through mutual accountability between persons – each owes to all the justification of their view of the world – and so where the practice of that accountability

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344 Idem, 49.
is foreclosed there can be no world at all. “To men the reality of the world is guaranteed by the presence of others, by its appearing to all…The space of appearances comes into being wherever men are together in the manner of speech and action.”345 But this reliance on speech and action entails the world’s peculiar fragility, in that it “disappears not only with the dispersal of men…but with the disappearance or arrest of the activities themselves. Wherever people gather together, it is potentially there, but only potentially, not necessarily and not forever.”346 If I am to take responsibility for the world, there must be a world, and so speech and action must be carried on between persons. But the carrying on of speech and action requires the participation of persons engaging each other as persons and so as calling each other to mutual accountability. And this begins with the self. What this means for our purposes here is that if I am to take responsibility for avoiding the practice of evil, I must hold myself accountable for treating myself as a person to whom I am accountable. That is, I must hold myself accountable for carrying on, in the process we call thought, a genuine conversation with myself. To do this, I must hold myself accountable for my capacity and willingness to take the point of view of others.

Even where there are no actual others present to share their points of view with me, the capacity to and willingness to take the point of view of others means that the course of my reflection will be shaped and constrained by the need to respond to those who do not share my own point of view. And since those others are not me, I may be surprised by their view, by the arguments they advance in favor of their view, and by the objections they raise against my view. Which means that in my conversation with myself

346 Ibid.
qua other I will be compelled to proactively and creatively generate views other than my own, arguments in favor of those views, and objections against my own view, and then to respond, adjusting my views if and as necessary. My conversation with myself must be critical. There are those, Arendt says, who “cherish values and hold fast to moral norms and standards,” but “much more reliable will be the doubters and skeptics, not because skepticism is good or doubting wholesome, but because they are used to examine things and to make up their own minds.” Even where – and perhaps precisely where – my views are supported by impressively developed, self-consistent systems of thought, therefore, I have reason to ask whether any given person would find those systems of thought so impressive as I do. And where the language of my thinking relies on conversation-defying cliché, I have reason to ask why it is I feel the need to protect my thinking from genuine conversation and the confrontation with otherness it entails.

It is Arendt’s conviction that this holding-ourselves-to-account for the process of thought is something of which virtually every person is capable, regardless of circumstance. And it is her further conviction that no one holding themselves to account in this way would allow themselves to murder masses of innocents. “Best of all will be those who know only one thing: that whatever else happens, as long as we live we shall have to live together with oneself.” Eichmann, she can thus conclude, was not without recourse in face of the Nazi pressures to evil: Even as the Nazi view held a monopoly in the structures of social capital surrounding him, he still might have avoided participating in and so supporting the Nazi project had he engaged in the activity of thinking. That he was indeed capable of thought follows for Arendt from his status as a conscious person as

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347 Arendt, Responsibility and Judgment, 45.
348 Ibid.
such, but it is well-corroborated as well by his striking dependence on cliché and “officialese,” as the fact that he employed these safeguards against thinking betrays the fact that he felt the need to protect himself from it. “Clichés, stock phrases, adherence to conventional, standardized codes of expression and conduct have the socially recognized function of protecting us against reality, that is, against the claim on our thinking attention which all events and facts arouse by virtue of their existence.”

Eichmann was thus accountable to himself for carrying on genuine conversation with himself, and so ought to have come to the judgment that he could not carry on that conversation in good faith should he participate in the Nazi project, and so ought to have come to the judgment that he ought not to participate in the Nazi project. For his failure to come to those judgments, he is accountable to himself. And importantly, he is likewise accountable to us, on the same grounds: Just as he shares a world with himself and so owes himself genuine conversation, he shares a world with us and so owes us genuine conversation. The accountability he owes to himself is just that owed to another person as such, and so it is owed to every person as such. We surely would not want to share a world with someone who facilitated mass murder, and Eichmann surely could and ought to have recognized that before doing what he did. Or, as Arendt put it retrospectively in her own fantasized verdict addressed to Eichmann,

Just as you supported and carried out a policy of not wanting to share the earth with the Jewish people and the people of a number of other nations – as though you and your superiors had any right to determine who should and who should

349 Idem, 160.
not inhabit the world – we find that no one, that is, no member of the human race, can be expected to want to share the earth with you.

Had Eichmann thought, he would have recognized that should he remain in his SS post overseeing Jewish affairs neither he, nor we, could be reasonably asked to suffer his continued presence in the world. We are justified, therefore, in holding him to account for his crimes, on the grounds of his failure to think.

One last defense remains available to Eichmann. Granted that he could and ought to have come to see, through the process of thinking, that he ought to have withdrawn from participation in the Nazi project, would it have made any difference if he had? However important a cog he may have been, he was but one, readily replaceable cog in a vast, vastly complex machine. Eichmann could argue, therefore, that there was simply nothing to be gained in resigning, and so no reason to resign, his post, and that he should thus not be held accountable for his failure to do so. And if we have already seen that Arendt argues extensively, by appeal to examples from across Europe of effective resistance, through “mere words,” to the Nazi program, Eichmann could still claim that those examples involved coordinated groups of people, not solitary individuals. For Arendt to complete her case, therefore, she requires an account of how the words and deeds of solitary individuals can move masses – and so make a difference not only to the righteousness of the given individual but to the wellbeing of the world.
Arendt’s argument on this point rests on the proposition that reliance on *exemplarity* is fundamental to the moral life: “Examples, which are indeed the ‘go-cart’ of all judging activities,” she says, “are also and especially the guideposts of all moral thought.” In asking the question “What is a table,” it may be that you well proceed by appeal to a given ideal present in your minds – a “schematic table” – or by gathering a representative sampling of different tables and abstracting from each of their particular qualities, leaving you with an “abstract table.” Or, you may proceed by selecting the best table of all the tables you can find and thenceforth declaring that this shall be the table by comparison to which you shall judge all tables with respect to their tablehood. “What you have done,” Arendt says of this case, “is to single out…some particular instance which now becomes valid for other particular instances.” This, for Arendt, is how genuine moral reasoning must work: Because adherence to a given set of fixed rules cannot in and of itself be what makes the difference between those who refuse capitulation to evil and those who do not, moral reasoning cannot reliably proceed merely by way of appeal to any pre-given ideal. Certainly it cannot safely proceed by taking the average of all examples of moral behavior encountered, as this procedure would be vulnerable to false inputs. The reliable acquisition of moral know-how, rather, requires active, constructive, creative work on the part of the given agent, and this requires not only taking in data but reflectively discerning the best available examples from which to work. Indeed,

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351 Idem, 143-144.
352 Ibid.
This is the only chance for an ethical principle to be verified as well as validated. Thus, to verify, for instance, the notion of courage we may recall the example of Achilles, to verify the notion of goodness we are inclined to think of Jesus of Nazareth or of St. Francis; these examples teach or persuade by inspiration, so that whenever we try to perform a deed of courage or of goodness it as though we imitated someone else.\textsuperscript{353}

Genuine morality for Arendt is fundamentally personal, and so it is not in abstract ideals, not in theories, not in rules, but in persons that moral facts are borne. “It is a denaturation of morality,” Arendt quotes Nietzsche as writing, “to separate the act from the agent.”\textsuperscript{354} And for Arendt as for Nietzsche, the identity of a person cannot be reduced to any list of qualities, no matter how comprehensive; no answer to the question of “what” a person is can ever substitute for knowledge of “who” a person is. The acquisition of moral knowledge, then, requires acquaintance with the “who” of morally exemplary individuals. If I want to know what courage is and how I might acquire and practice it, therefore, I first identify the person most exemplary of courage, and then reflect on the question of precisely in what that person’s courage consisted. Just so if I want to know whether I ought to acquire and practice the notion of courage – I will have to find an example of the notion and then take inspiration from it, or not.

Critically, just as for Arendt moral exemplars are necessary for adequate moral reasoning, they can also be sufficient in the sense that no further data-intake is required once they are taken up. What makes the difference for Arendt between the reliably and

\textsuperscript{353} Arendt, “Truth and Politics” in \textit{Between Past and Future}, 243.
\textsuperscript{354} Idem, 145. See Friedrich Nietzsche, \textit{Will to Power}, no. 242.
non-reliably moral person is the work of active, uncorrupted, explicit thinking exercised through spontaneous judgments of right and wrong. Once a person is thinking and judging, Arendt says, they have no need of further moral instruction, but will see for themselves that they cannot allow themselves to commit acts of grave evil. The only question is how, on what grounds, individuals are to be brought to think and judge for themselves. It was the harsh experience of Socrates, Arendt notes, that this could not be reliably accomplished by way of dialogical reasoning and argument.³⁵⁵ And for Socrates it is certainly not the case that such would-be conversions to the life of thought are a matter of acquiring this or that cache of information, as Socrates knows only that he has no knowledge to provide. The point is that what is needed is precisely not anything impersonal or objective but access to a certain fundamentally subjective, personal mode of being. “The extent to which the old and once very paradoxical statement ‘it is better to suffer wrong than to do wrong,’ has won the agreement of civilized men,” Arendt says, “is due primarily to the fact that Socrates gave an example and hence became an example for a certain way of conduct and a certain way of deciding between right and wrong.”³⁵⁶ To bring others to think, Socrates had to, and in fact did, make of himself an example of the life of thinking. The “undeniable impact” of Socrates’ proposition, Arendt argues, is clearly “due to a rather unusual kind of persuasion; Socrates decided to stake his life on this truth – to set an example, not when he appeared before the Athenian tribunal but when he refused to escape the death sentence.”³⁵⁷ The truth of Socrates’ proposition had to be communicated not as the content of speech but through the expressive form of a life

³⁵⁵ See Arendt, Responsibility and Judgment, 82.
³⁵⁶ Idem, 144.
³⁵⁷ Ibid.
through action, which for Arendt is a complex of word and deed. Had Socrates merely said that the most important thing is that we each be at one in the twoness of ourselves, his interlocutors would indeed have had little cause to accept the proposition. Because he was willing to die for it, however, he made publicly manifest his own inner-personal commitment to the principle, and in so doing he confronted his interlocutors with a claim to its validity, which they could then either accept as truth or reject as madness. At the least, Arendt says, Socrates became for them a potential source of inspiration to think. And because we too, even at quite a distance, know of Socrates’ tale, we too can enjoy the benefit of that inspiration.

It is important that the expressive mechanism employed and exemplified by Socrates works on two levels. First, through his willingness to die rather than renounce the principal that one ought to think and thus that it is better to suffer than to do wrong, Socrates made clear to those who witnessed his sacrifice that his allegiance to this principle was not mere talk – made clear that he was really, authentically devoted to this principle and convinced of its truth. In so doing, he made the proposition of that principle’s truth vividly available to his witnesses for consideration. Thinking was in this way rendered a political matter. *Socrates became a prophet of thinking.* Second, it is in the nature of thinking for Arendt that it eventuates in concrete, definitive judgments of right and wrong; where others neglect to render judgment at all and so simply carry on with their affairs, the thinker is through their thinking prepared to judge a given course of action off limits. Where the thinker in fact so judges a given course of action off limits and adjusts their conduct as such, the fruits of thinking have thus taken on public reality: “Judging,” Arendt says, “realizes thinking, makes it manifest in the world of
appearances.” When Socrates judged that he ought not, even at risk of death, renounce the practice of philosophical dialogue, and when he in fact lived in accordance with that judgment, he thus realized thinking and made it manifest in the world. That is, irrespective of the particular judgment in which his thinking eventuated and in accordance with which he adjusted his conduct, the form of his behavior—thinking, judging, and adjusting his conduct in faithful accordance therewith—gave exemplary witness to the responsibility of persons to think. In the very course of communicating the proposition that we ought to think, Socrates exemplified thought in exhibiting thought’s fruits.

Arendt’s argument is thus that had Eichmann fulfilled his responsibility to think he would have come to the judgment that he could not continue in his post, and had he then conducted his life in accordance with that judgment—had he simply resigned from his post—he would have confronted those around him with the propositions that (1) one ought not to facilitate the mass murder of innocents and that (2) one ought to practice thinking and so make and follow determinate judgments as to right and wrong in concrete cases. Even as the magnitude of sacrifice is not as great as that of Socrates, resigning his post would have entailed a considerable degree of material and personal losses for Eichmann, and so would have to that degree made clear his commitment to these propositions. Most basically, the mere fact that he would have been breaking from his society’s expectations of him—a sacrifice most are not willing to make—would have both underscored and exemplified his commitment to thinking for himself. “When everybody is swept away unthinkingly by what everybody else does and believes in,”

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358 Arendt, Responsibility and Judgment, 189.
Arendt says, “those who think are drawn out of hiding because their refusal to join is conspicuous and thereby becomes a kind of action.” Eichmann, then, could have and so ought to have acted in making himself conspicuous as one who thinks. Had he done so, the conspicuousness of his doing so may well have served to draw others “out of hiding” in this way as well. Had, lastly, enough people followed Eichmann’s example in simply quietly withdrawing from their posts in the Nazi bureaucracy, the fate of the Jews in Europe may well have been closer to that of the Jews in Denmark.

“It is true,” Arendt writes, “that totalitarian domination tried to establish these holes of oblivion into which all deeds, good and evil, would disappear.” That is, totalitarian domination tried to make it such that no individual would think to deviate from what totalitarian domination expected of them, and that should any individual in fact so deviate, to make it such that the memory of that individual would be swiftly extinguished so that it not serve as an example for others. It is a condition of possibility of totalitarianism, in other words, that it defend itself against the threat of exemplary individuality. Nonetheless, the enormous monstrosity and monstrous enormity of totalitarian government notwithstanding, “The holes of oblivion do not exist. Nothing human is that perfect, and there are simply too many people in the world to make oblivion possible.” It is in the nature of human persons to preserve, however dimly, our capacity for speech and action, and so to preserve, however dimly, the memory of those individuals who have exemplified for us the possibilities of human speech and action. Arendt adverts at this point to the case of Anton Schmidt, a Nazi patrolman in Poland.

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359 Idem, 188.
360 Arendt, Eichmann, 232.
361 Ibid.
who, having run into members of the Jewish underground, supplied the partisans with
detailed papers and military trucks at no cost, a choice for which he eventually lost his
life. There were many accounts of such choices recounted at the Eichmann trial, but
Arendt reports that this was the first and only such story told of a German. The story took
about two minutes, she writes,

And in those two minutes, which were like a sudden burst of light in the midst
of impenetrable, unfathomable darkness, a single thought stood out clearly,
irrefutably, beyond question – how utterly different everything would be today
in this courtroom, in Israel, in Germany, in all of Europe, and perhaps in all of
the countries of the world, if only more such stories had been told.

For Arendt, the point is both that were there more such stories told, then more such good
would de facto have been done, and also that the availability of more such stories would
have inspired the authoring of still more such stories. “For the lesson of such stories,” she
writes, “is simple and within everybody’s grasp. Politically speaking, it is that under
conditions of terror most people comply but some people will not, just as the lesson of
the countries to which the Final Solution was proposed is that ‘it could happen’ in most
but it did not happen everywhere.” What is vital is that we all come to see that non-
compliance is indeed a human possibility even under conditions of terror; in seeing that
some have resisted compliance, we see that we all can and must join the side of the

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363 Ibid.
364 Idem, 233.
“some” who resist against the “most” who comply, and in so doing call all others to join us in resistance. “Humanly speaking,” Arendt concludes, “no more is required, and no more can reasonably be asked, for this planet to remain a place fit for human habitation.” In his participation in the machinery of mass murder, Eichmann failed to do even this much to make this planet fit for human habitation, and so, Arendt judges, he was no longer fit to inhabit it with his fellow humans.

Serving as a kind of test-case for and capstone to the central themes of Arendt’s work, *Eichmann in Jerusalem* is, among other things, an argument for the capacity and thus responsibility of every individual person for diminishing mass-societal evil by way of the power of “mere words, spoken freely” and personal integrity more generally. Arendt offers evidence and arguments for this position, evidence and arguments which, as she observes of Socrates’ evidence and arguments in favor of his moral propositions, are unlikely to persuade the masses. Also paralleling her understanding of Socrates’ record, however, Arendt offered not only arguments or evidence but *herself* as an example of the principle the validity of which she sought to impress upon her fellow citizens. This was self-conscious on her part: Her essay “Truth and Politics,” cited above and which includes her most developed account of the Socratic art of persuasion through personal exemplification, was “caused,” she says, by the “so called controversy after the publication of *Eichmann in Jerusalem*.” Indeed, Arendt published, steadfastly defended, and faithfully augmented her observations on the Eichmann trial in face of

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365 Ibid.
massive public resistance and despite poignant personal cost in the form of torn friendships and loss of community, and in so doing she made clear to any witness her conviction in the truth of her message and her commitment to the project of communicating that message to the world. To understand what Arendt’s words mean, then, we have to attend not only to the words, but to the performative, interpersonal valence of her saying of them. Specifically, we have to understand the meaning of the public’s resistance to those words – a resistance still strong and passionately bitter fifteen-seven years after the work’s publication – and thereby the meaning of Arendt’s withstanding of that resistance in persisting to proclaim her message. Whether their import was true or false, Arendt’s words were not mere chatter, and they did not merely convey objective information or propositions. They were, as we shall see, both deeply personal and pointedly offensive, a threat of some kind to some treasured status quo of interpersonal relations – a threat from which extensive, unending efforts at defense has evidently been felt to be called for. Focusing on Arendt’s direct, first-order arguments and statements, my question now is precisely in what consists their offense, and precisely what interpersonal status-quo they threatened.

Let us consider first the arguably most sensitive point of contention, the question regarding the conduct of the Judenräte in the context of Eichmann’s efforts toward the final solution. Arendt tended to downplay her treatment of the Judenräte question as essentially peripheral to her book, protesting against the maelstrom that her entire account amounts to a mere fifteen pages of a three-hundred page book and that in any case it was not she but the prosecution which brought the matter up at the trial, leaving
her to dutifully report and comment as per her assignment.\textsuperscript{367} If it was indeed not her primary focus, however, it is clear that she regarded her interpretation of the facts as vital in itself and of a piece with the meaning and urgency of the \textit{Eichmann} project more broadly. Partly, she confesses to Scholem, this was a matter of personal, emotional fixation, as “Wrong done by my own people naturally grieves me more than wrong done by other peoples.”\textsuperscript{368} She protests, however, that “Even if it should be the innermost motive for certain actions or attitudes,” were it only a matter of personal sentiment she would not have addressed the question of Jewish collaboration publicly, as such grief is “not for display.”\textsuperscript{369} She goes on to explain, with explicit reference to her developed theoretical work in \textit{On Revolution}, her view of the dangers entailed in the introduction of personal emotion – “heart,” she writes in scare-quotes – into the sphere of public affairs, most generally that personal emotion tends to extinguish the possibility of a distinctively public, political sphere by assimilating all genuinely public conversation into a merely social blob.\textsuperscript{370} Because individual persons cannot share each other’s respective private worlds, genuine politics – that which concerns the goings-on \textit{in-between} individual persons – requires a separation of individual persons from their respective private worlds. And because we tend so powerfully to remain within ourselves, this separation must be strictly enforced if we are to sustain its integrity at all.

Tellingly, having confessed her private emotional entanglement and professed her commitment to barring its public display, her explanation proceeds without segue to a

\textsuperscript{367} “This issue came up during the trial and it was of course my duty to report it” (Arendt, “A Letter to Gershom Scholem, \textit{Jewish Writings}, 468).
\textsuperscript{368} Arendt, \textit{Jewish Writings}, 467.
\textsuperscript{369} Ibid.
\textsuperscript{370} The term ‘blob’ was coined in this context and extensively discussed in Hannah Fenichel Pitkin, \textit{The Attack of the Blob: Hannah Arendt’s Concept of the Social}, (Chicago: University of Chicago Press, 1998).
turning of the tables against her critics: “You know as well as I how often those who merely report certain unpleasant facts are accused of lack of soul, lack of heart, or lack of what you call Herzenstakt. We both know, in other words, how often these emotions are used in order to conceal factual truth.”

Arendt, in other words, presents herself as having, despite her deep personal investments and for the sake of the public sphere, strenuously kept her emotions to herself, whereas it is her critics, in condemning her failure to exhibit the proper emotions, who act precisely so as to undermine the integrity of the public sphere. We cannot have a public sphere, Arendt argues, if we cannot share a common set of factual truths; we only have genuine intercourse with each other if we inhabit a world together, and we inhabit a world together only insofar as we each transcend the confines of our merely idiosyncratic viewpoints in acknowledging realities whose appearance to us entails their appearance to others and vice versa. But we cannot share a common set of factual truths if our efforts at ascertaining and publishing the truth are subverted by way of entanglement in streams of emotion. It is central to Arendt’s project, then, that it is fundamentally an effort at ascertaining and communicating unsentimental truth by way of argument and observation of fact. It is thus central to her project that (1) such a project is possible, and (2) that to evaluate it on its own terms is to evaluate it as an effort at ascertaining and communicating unsentimental truth by way of argument and observation of fact. Lastly, on Arendt’s understanding it is (3) a central feature of such a project will be resistance on the part of the audience to the nature of the project, expressed in efforts at subverting it by assimilating it into the exchange of merely sentimental and so fundamentally idiosyncratic, non-objective viewpoints. On a personal

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371 Ibid.
level, we readers can each decide for ourselves whether we trust Arendt’s self-description here and judge whether we ought to take her record on the Judenräte question seriously. What is clear is that to take that record seriously – whether to then seriously accept or to seriously reject it – is to consider it and its meaning strictly from the perspective and in terms of the political rather than the personal. And it is to attend to the ways in which we as readers are drawn away from political and toward merely personal modes of engagement. The question is what exactly she said, and what, in context and in terms of the goings-on in-between persons, it meant for her to have said it as she did.

What exactly did she say? Though many condemned Arendt for criticizing the Jews’ failure to resist the Nazis, this was, as she was keen to point out, simply false. As noted earlier, it was not she but the Israeli prosecution which had raised the issue of why the Jews had failed to fight back, a question Arendt denounces early on in Eichmann as “cruel and silly.”\(^372\) The question was cruel and silly not only because “no non-Jewish group or people had behaved differently,”\(^373\) but on account of what we know, or ought to know, about the real results of such efforts where they were in fact tried. The prosecutor, she says, ought to have found the answer to his question in the example of a group of Dutch Jews who, having attacked a German security attachment in 1941, four hundred and thirty of whom were apprehended and “literally tortured to death…For months on end they died a thousand deaths, and every single one of them would have envied his brethren in Auschwitz.”\(^374\) Arendt is clear and consistent from the outset that no one, not Nazi personnel, not civilians, and certainly not Jews, can be fairly held to account for not

\(^{372}\) Arendt, Eichmann, 12.  
\(^{373}\) Idem, 11.  
\(^{374}\) Idem, 12.
having taken up arms against the Nazis, as the risks involved made that course of action one no one could be fairly expected to take. As with Eichmann and other Nazi officials, however, the leaders of the Jewish councils could well have simply declined their assigned roles – organizing, and still more notoriously, selecting their fellow Jews for deportation to extermination camps – in cooperatively facilitating the Nazi project. “I said there was no possibility of resistance,” she writes to Scholem, “but there existed the possibility of doing nothing.”

Arendt presumes, quite plausibly, that the very worst that would have happened to a Jewish leader simply declining to compile lists of persons to be deported to the camps, for instance, would be the very same fate to which their cooperation would condemn their fellow Jews, namely death. And surely, Arendt avers, only semi-ironically adverting to the canonical rabbinic teaching on the matter, one ought not to save themselves from death by offering others in one’s stead.

The fact is, she wrote to journalist Samuel Grafton, that “The Nazis themselves gave them [the Jewish councils] the number and category of those to be shipped to the killing centers, but who then went and who was given a chance to survive was decided by the Jewish authorities. In other words, those who cooperated were at that particular moment masters over life and death.” And it is Arendt’s view that we ought not to make ourselves masters over life and death, and are to be held accountable should we do so. It was “common enough,” she says, to argue that “If some of us have to die, it is better that we decide than the Nazis. I disagree. It would have been infinitely better to let the Nazis do their own murderous business.”

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375 Arendt, *Jewish Writings*, 468.
376 For the rabbinic teaching, see Tosefta Terumot 7:23.
377 Arendt, *Jewish Writings*, 481.
378 Ibid.
case, that is no justification for assuring that result by one’s own hands. As for the utilitarian-style argument that “With a hundred victims we shall save a thousand,” her response is still sharper: “This sounds to me like the last version of human sacrifice: pick seven virgins, sacrifice them to placate the wrath of the gods. Well, this is not my religious belief, and most certainly is not the faith of Judaism.” Even if they really believed they could spare some number of lives, that is simply no justification for their facilitating the murder of others. And while they argued that had they not taken these roles, persons still less devoted to and competent in sparing their brethren would have simply taken their place, Arendt responds with same categorical disbelief with which she greeted the identical argument on the part of the Nazi functionaries: Once the evil in question is monstrous enough, it simply no longer makes sense to speak in terms of its being “lesser” than anything else, and in any case it is in the nature of persons that once their integrity is compromised there remains no stable line past which they will not go. When it comes to participation in monstrous evil, pragmatic, lesser-evil calculations and moral trade-offs are simply inconsistent with human responsibility.

Importantly, Arendt does not extend her judgment on this matter to the case of the Jewish workers in the camps, even as it was well known how they had worked in the gas chambers and the crematories, how they had pulled the gold teeth and cut the hair of the corpses, how they had dug graves and, later, dug them up again to extinguish the traces of mass murder; how Jewish technicians had built gas chambers in Theresienstadt, where the Jewish

\[379\] Ibid.
‘autonomy’ had been carried so far that even the hangman was a Jew. But this was only horrible, it was no moral problem.”\(^{380}\)

There are several intersecting lines of argument here. First, with respect to the workers in the camps, it could be argued that the level of duress was simply overwhelming, whereas it was not the case in her evaluation that the leaders of the Jewish councils were under direct mortal threat, let alone subject to the personally and morally crushing conditions of the camps. Arendt quotes Eichmann as testifying that in fact,

> The functionaries with whom we were in constant contact – well, they had to be treated with kid gloves. They were not ordered around, for the simple reason that if the chief officials had been told what to do in the form of: you must, you have to, that would not have helped matters any. If the person in question does not like what he is doing, the whole works will suffer…We did our best to make everything somehow palatable.\(^{381}\)

Difficult and unprecedented as these conditions were, they were not conditions under which moral agency was extinguished, and so individuals under these conditions remained accountable for their decisions. Second and relatedly, unlike in the camps, where “The selection and classification of workers in the camps was made by the S.S.,” the functionaries in the Jewish-council apparatus generally volunteered for their posts,

\(^{380}\) Arendt, *Eichmann*, 123.

\(^{381}\) Ibid.
and so were rightly accountable for holding them.\textsuperscript{382} Quoting her venomous, Jewish-establishment-sponsored critic Jacob Robinson’s defense of the *Judenräte* on the grounds that whoever “accepted appointment to a council…did so as a rule out of feeling of responsibility,” Arendt takes this formulation as making precisely her point: If these individuals were making decisions out of a feeling of responsibility, surely they were responsible for their decisions. In any case, they were “by no means forced at gunpoint.”\textsuperscript{383} They chose to do what they did, when they could have chosen to do nothing. “And in order to do nothing,” Arendt says, “one did not need to be a saint, one needed only to say: ‘I am just a simple Jew, and I have no desire to play any other role.’”\textsuperscript{384}

The role they did in fact choose to play, Arendt argues, was one of considerable consequence. Quoting Robert Pendorf’s conclusion that “There can be no doubt that, without the cooperation of the victims, it would hardly have been possible for a few thousand people, most of whom, moreover, worked in offices, to liquidate many hundreds of thousands of other people,” Arendt offers the verdict that “Without Jewish help in administrative and police work there would have been either complete chaos or an impossibly severe drain on German manpower.”\textsuperscript{385} The fact is that the reason Eichmann enlisted the help of the Jewish councils wherever his office went – Jewish cooperation, Arendt quotes Eichmann as testifying, was regarded by the Nazis as the “very cornerstone of their Jewish policy”\textsuperscript{386} – was first and foremost because he needed to if he

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\item \textsuperscript{382} Ibid.
\item \textsuperscript{383} Arendt, *Jewish Writings*, 505.
\item \textsuperscript{384} Idem, 468.
\item \textsuperscript{386} Arendt, *Eichmann*, 124.
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was to execute his mission successfully. “The whole truth,” Arendt infamously concludes, “was that if the Jewish people had really been unorganized and leaderless, there would have been chaos and plenty of misery but the total number of victims would hardly have been between five and a half and six million people.”

Critics raised the empirical objection against this counterfactual that on the Eastern front the Nazis did in fact manage high-efficiency genocide without Jewish assistance. “Miss Arendt,” Norman Podhoretz writes, does not “tell us why the slaughter of Jews in occupied Russia should have been so complete even though there was no central Jewish leadership or communal organization in the Soviet Union.” Arendt would have several replies to this objection. First, the fact that the Nazis employed the Einsatzgruppen, accompanied by the German military, to murder Jews by bullets in the East simply does not entail that they could or would have done this in Budapest or Belgium. Second, and more fundamentally, if the Nazis had, in face of the absence of Jewish cooperation, in fact deployed the Einsatzgruppen in this way, it would have constituted a so radically different set of realities than the ones in question that it is hard to see the counterfactual’s moral relevance. The question at hand is whether or not the Jewish council’s bore some measure of responsibility for the Eichmann-facilitated deportation of Central-European Jews to the concentration camps. Since it is plausible that had the Jewish councils declined to help, these Jews would not have suffered this fate, it is plausible that the Jewish council’s bore some responsibility for the fact that these Jews suffered this fate. The fact that some other quite different if likewise-horrible fate could have befallen them in any case does not seem relevant, especially when that

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388 Podhoretz, “Perversity of Brilliance.”
alternative fate was less likely than the actual one at hand. (To take a crudely simplified example, the fact that, even if I don’t shoot you, there is a reasonable probability that someone else will shoot you, does not make it reasonable for me to shoot you.)

Furthermore, exterminating the Jewish population of Central Europe by mobile killing units would have been far costlier and more difficult to implement than Eichmann’s methods and detracted still more from the war efforts than the Final Solution actually did, and for that reason alone – the prospect of further burdening the Nazi armies – the “responsible” decision would clearly have been to roll the dice in declining to assist Eichmann in his work. Precisely as the critics’ argument here presupposes, rolling the dice in this way could not have hurt – individual Jews would not be more likely to die than were they convinced under false pretenses to volunteer for deportation to death camps – and may, for all anyone knew, have increased the possibility of escape. In any case, and most fundamentally, assisting Eichmann in his work – making it possible for Eichmann to do what he in fact did – is what the Jewish councils in fact did. They could have simply declined to participate, but they did not. For this, Arendt reasons, they were in fact responsible.

Arendt clarifies that she does not see these individuals as “traitors” to the Jewish people, let alone as monsters or moral deviants. Morally speaking, these were entirely ordinary individuals, no better or worse than anyone else. Responding to comments on this point by Walter Lacquer, Arendt writes that “Had Laqueur been at all familiar with the subject matter, he would not have been so naïve as to identify ‘betrayal and collaboration’, for the whole point of the matter is that the members of the Jewish councils as a rule were not traitors or Gestapo agents, and still they became the tools of
the Nazis.”\textsuperscript{389} Responding to an insinuation by Scholem, moreover, she insists that unlike with respect to Eichmann, who she strenuously recommended be executed for his crimes, she had not and would not offer any judgment as to what if any forms of liability the collaborators ought to be subject to: “Whether these people, or some of them, as you indicate, deserved to be hanged is an altogether different question. What needs to be discussed are not the people so much as the arguments with which they justified themselves in their own eyes and in the eyes of others. Concerning these arguments we are entitled to pass judgment”\textsuperscript{390} This may be overstating her case, as she would later on be, as we shall see again momentarily, explicit on the legitimacy of passing judgment on the people as well, and her contempt for individuals like Kastner was after all perfectly apparent already in \textit{Eichmann}. It is true, however, that she never once suggests anything like criminal liability for the collaborators, even as she defended Eichmann’s execution and incisively criticized the Adenauer government’s failures in prosecuting former Nazis, including many still employed at the highest levels of the German government. And it is fair to say that Arendt, despite the accusations leveled against her, in fact did not pass judgment on the collaborators in the sense of judging their characters, let alone their merits in any kind of ultimate sense. If they did not prove themselves heroes or saints, neither did they prove monsters or villains. They were, as Arendt stresses, only “men,” and the question Arendt wants us to ask is what we ought to expect from men as such. Her thesis is that we in fact ought to hold persons accountable for their participation in, and so performative support of, systems of oppression against their fellow persons.

\textsuperscript{389} Arendt, \textit{Jewish Writings}, 497.  
\textsuperscript{390} Idem, 468.
We may for good reasons – compassion, mercy, understanding – decline to punish them for their participation. “The act of mercy,” however, “does not forgive murder,” but rather “pardons the murderer insofar as he, as a person, may be more than anything he ever did.”

Eichmann, Arendt insists to Scholem (who argued against carrying out a capital sentence), was surely not more than his crimes, and thus he could not be pardoned. The functionaries of the Jewish councils, by contrast, may well be far more than their crimes and so deserving of full pardons. But that simply cannot change the fact that they committed crimes. And if, as persons, they have committed crimes against persons, then we have a responsibility as persons to judge them on that score. That is, however I may feel as the private individual that I am, insofar as I am a member of a community I have a responsibility to that community to hold other members to account for its crimes against the community. “The wrongdoer is brought to justice,” Arendt argues,

because his act has disturbed and gravely endangered the community as a whole, and not because, as in civil suits damage has been done to individuals who are entitled to reparation. The reparation effected in criminal cases is of an altogether different nature; it is the body politic itself that stands in need of being “repaired,” and it is the general public order that has been thrown out of gear and must be restored, as it were. It is, in other words, the law, not the plaintiff, that must prevail.

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391 Arendt, Jewish Writings, 470.
392 Arendt, Eichmann, 261.
For “the law” to prevail in this case, Arendt argues, we must affirm that there is a law by affirming the judgment that it has been violated. And because this violation of the law was, whatever else it was, also a crime against the community of persons as such, no one has the power to decline that affirmation, just as an assailant’s victim cannot decline criminal prosecution for the assault. The functionaries on the Jewish councils directly facilitated the murder of their brethren, and we have a responsibility, Arendt argues, to recognize that this was a failure of their responsibilities as persons.

For the most part, Arendt’s critics have failed or refused to hear this thesis, responding to her, rather, as if she were rendering an exclusively “aesthetic” judgment, as Lionel Abel put it, as to the inferiority of the collaborators’ personalities.393 This belongs to the sphere of what Arendt calls “the social” – a matter, even where widely held, of fundamentally private likes and dislikes. Arendt’s claim is thus taken to be that the collaborators were contemptibly bad, inferior, perhaps even monstrous, people no one we would want to have around. Alternatively but relatedly, Arendt is taken by her critics as offering a kind of judgment as to the quality of the collaborators’ souls in the absolute view, as it were, of God – effectively, whether they deserved eternal damnation or perdition. But to focus on these questions – whether these people were fundamentally good or bad, likeable or deplorable – is to obscure the juridical or political question of whether or not they met their responsibilities as persons, and so a critique on this basis simply fails to make contact with Arendt’s thesis. It is true that Arendt bears some responsibility for this distraction, as her fifteen-page account of the *Judenrat*-question in *Eichmann* does include several instances of unmistakable personal scorn, and so it was

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not unsurprising that readers would engage on the question of the appropriateness of that sentiment. But Arendt’s feelings about the collaborators bear no logical relation to her case for the judgment that the collaborators are rightly held responsible for their collaboration, and still less does her arguable tactical error in allowing her feelings on the matter to show affect the soundness of her arguments. When Abel says that “The strangest and most shocking feature of Miss Arendt’s accusations is that they are never political, never moral,” the question we must ask is why it is, and what it means, that Arendt’s distinctively political and moral claims are at best invisible, at worst willfully ignored and obscured, by so many readers.

Abel argues for his conclusion with the premises that “To make moral or political judgments one has to investigate or discuss the actual political and moral alternatives, and this Miss Arendt has not done in attacking the leaders of the councils,” from which it would follow that Arendt did not make a moral or political judgment. But of course Arendt’s view was that there was, and virtually always is, a clear moral and political alternative available: to do nothing at all. And it is precisely on the grounds of that alternative’s availability that Arendt concludes that the Jewish-council leaders were responsible for their actions. What emerges, then, is that there is a further invisibility at play: Arendt’s critics at best cannot, and at worst refuse to, see simple refusal to act as an “actual political or moral alternative.” This comes out in Podhoretz’s presentation: “As for Jewish opposition,” he writes in arguing that effective Jewish opposition was not possible, “all it ever did was bring out more German troops. Certainly the Nazis showed

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394 Ibid.
395 Ibid.
little concern over the drain on their manpower when the Warsaw Ghetto revolted.”

This argument either simply misses or willfully occludes the possibility of resistance to organized mass-evil by means other than bullets. But the ubiquity of that possibility is precisely Arendt’s point: Properly conceived, political action is always possible.

These apparent invisibilities bring into clearer view the meaning and mechanics of that deep refusal to judge others which, as we saw, Arendt diagnosed as the engine driving the resistance against her work. For Podhoretz, the whole discussion is simply uncalled for:

But it is unnecessary to pursue the absurdities of Miss Arendt’s argument on this issue, just as it is unnecessary to enter once again into the endless moral debate over the behavior of the Jewish leaders—the endless round of apology and recrimination. They did what they did, they were what they were, and each was a different man. None of it mattered in the slightest to the final result. Murderers with the power to murder descended upon a defenseless people and murdered a large part of it. What else is there to say?

The second premise Podhoretz offers – that nothing anyone did “mattered in the slightest to the final result” – is, as we have seen, at best tendentious and at worst irrelevant. What is interesting at this point is that, after having gratified Arendt by engaging in some debate over her claims and argument in this regard, Podhoretz now declares that argument off-limits – no further discussion is to be had, and, implicitly, the discussion

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already had is to be discounted. He tacitly confesses, in other words, that should Arendt have on offer some possibility which he had yet to consider and which might affect his conclusion, he would refuse to hear it.

This refusal, he explains, is made on the ground that “They did what they did, they were what they were, and each was a different man.” The formulation is incisive: Podhoretz embraces the facts – they did what they did, they were what they were – but rejects the attribution of any meaning to those facts. And since facts have personal meaning only if we persons supply it, it follows from this refusal that these facts will remain for us without personal meaning. “What else is there to say?,” he asks, implying, it would seem, that nothing more could be said. But of course he knows that Arendt’s claim is that there is more to say – she has indeed said it, and has invited Podhoretz and us to join her in saying it. What Podhoretz means, then, is not that we cannot say more but that we should not say more, should not spell out the meaning for persons of what these persons did. Indeed, at the end of the review this becomes explicit: “The Nazis destroyed a third of the Jewish people,” he concludes. “In the name of all that is humane, will the remnant never let up on itself?” That is, the question for Podhoretz is not whether or not we can, but whether or not we ought to, judge these individuals for their actions. It is instructive, then, that he does employ language with the literal connotation of denying the very possibility of judgment; he is moved, apparently, to hide from sight the possibility of judgment. Because we ought not to judge what these persons did, his reasoning goes, there is no possibility of judgment. And it is because there is no possibility of judging what these persons did, we now understand, that there cannot have

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397 Ibid.
been anything these persons might have done differently. Arendt’s reasoning moves in reverse: Because we ought to judge what these persons did, we must be capable of this judgment. And because we must be able to judge what these persons did, we must discern and acknowledge the alternative possibility of action available to them. That possibility, which for Podhoretz must be hidden, Arendt discovers in non-participation.

We come now to the offense in Arendt’s depiction of Eichmann. What is objectionable, precisely, about Arendt’s characterization of Eichmann as banal rather than monstrous? Arendt’s work, Ruth Wisse recounts, “constituted the first serious sign that the Nazi war against the Jews was no longer safe from moral revisionism.” As Podhoretz notes, against “what many of her critics have stupidly charged,” Arendt surely does not defend Eichmann — “she does nothing of the kind anywhere in her book.” And yet, if it is conceded that Arendt does not defend Eichmann in one sense — she concludes her book, Podhoretz notes, with an explicit justification of his sentence on account of his crimes — Podhoretz does charge her with a kind of defense in her refusal to judge Eichmann by an appropriately high standard. That is, even as it is “stupid” to claim that Arendt defended Eichmann from the charge of gross capital criminality, it remains that she argued against the further charge of monstrosity, and that, for Podhoretz, would indeed seem to constitute an offensive form of defense — “In place of the monstrous Nazi,” he says, “she gives us the ‘banal’ Nazi.” And so, if it is conceded that this substitution does not constitute a defense in the sense of a legal defense — it does not defend Eichmann from legal culpability for his crimes — it must be determined what form

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399 Ibid.
of defense Podhoretz alleges it to be. Or, if Podhoretz charges Arendt with refusing to judge Eichmann by the right standard, and if it is conceded that she indeed does judge Eichmann legally guilty, it must be determined what form of non-legal judgment she is purportedly refusing.

What is clear is that what it is at stake between Arendt and Podhoretz and other likeminded critics is again not the fact but the meaning of Eichmann’s guilt. And what is at stake in the meaning of Eichmann’s guilt is understood to be the meaning of his crimes. Arendt’s work, Ruth Wisse recounts, “constituted the first serious sign that the Nazi war against the Jews was no longer safe from moral revisionism.” As Richard Wolin spells out the argument, “If Eichmann was ‘banal’, then the Holocaust itself was banal. There is no avoiding the fact that these two claims are inextricably intertwined.”

Arendt, however, presumes to avoid this fact, presumably by denying that it is indeed a fact – for Arendt, the respective propositions of Eichmann’s and the Holocaust’s respective banalities are simply unrelated, as either may be true while the other false, and in fact the latter is emphatically true while the former is emphatically false. What is at issue between Arendt and her critics on this score, therefore, is whether or not the monstrosity of a crime entails the monstrosity of the criminal. And the question is what precisely is at stake in this dispute. Why, to what ends, are Arendt’s critics motivated to assert inextricable intertwinement between monstrous deeds and monstrous doers, and why, to what ends, is Arendt moved to deny it? What would it mean to put oneself on the line, as Arendt did, to make the point that banal individuals in fact can banally commit monstrous crimes, and that we can judge them guilty as such? What did it mean for

400 Ibid.
Arendt to put herself on the line to make this point – this “defense” – with respect to Adolf Eichmann?

For Arendt, what it is at stake is clear: It is a question of our capacity to prevent modern mass-societal evil given what we now know of “the total collapse of all established moral standards in public and private during the nineteen-thirties and -forties”\(^\text{402}\) and the human possibilities that collapse represents. The Nazis could not have done what they did without mass support, and while it is the case that “a number of criminals, as we know only too well, are present in every community” – there are in every community persons who would in any context find ways to do evil – it is surely not the case that many, let alone most, Nazi supporters were criminal personalities. And so the question is how so many non-criminal personalities came to support so flagrantly criminal an enterprise. “The trouble with Eichmann,” Arendt writes in *Eichmann’s* epilogue, “was precisely that so many were like him, and that the many were neither perverted nor sadistic, that they were, and still are, terrifyingly normal.”\(^\text{403}\) Eichmann’s normality entails that normal persons can, and under the right circumstances will, act as Eichmann did. And so while we can seek to secure our world against ordinary crime by seeking to punish and isolate the criminal minority – we can, it is reasonable to fantasize, hunt down and neutralize the monsters among us – such methods hold no promise with regard to criminality like Eichmann’s. High culture, education, religion, and moralizing exhortation are likewise of no avail, as it was precisely those most fastidious about morality who were the swiftest to betray that their morals were mere mores,

\(^{402}\) Arendt, *Responsibility and Judgment*, 52.
\(^{403}\) Arendt, *Eichmann*, 276.
exchangeable with the shifting winds. “From the viewpoint of our legal institutions and of our moral standards of judgment,” Arendt writes,

this normality was more terrifying than all the atrocities put together, for it implied – as had been said at Nuremberg over and over again by the defendants and their counsels – that this new type of criminal, who is in actual fact hostis generis humani, commits his crimes under circumstances that make it well-nigh impossible for him to know or to feel that he is doing wrong.\textsuperscript{404}

That is, Eichmann-like criminals commit their crimes under circumstances in which everyone around them, and especially everyone they have reason to respect, supports the regime of criminality in which they are a part. The question then becomes whether or not someone under those conditions can nonetheless steer themselves clear of criminality. If they can, and only if they can, then we can hold them responsible for their failure to take responsibility in this way. If they cannot, then mass-societal, bureaucratically-administered evil exists outside of the sphere of human agency and responsibility. And as with hurricanes on the coastline, there is nothing we humans can do to prevent it from happening to us. Mass-societal, bureaucratically-administered evil would be a form of natural, rather than human and moral, disaster.

Suppose that Arendt was, as her critics increasingly charge, simply mistaken about Eichmann’s character, and that he was in fact a willfully wicked, bloodthirsty anti-Semite all the way down. What would follow? Once this fact about him had been

\textsuperscript{404} Arendt, \textit{Eichmann}, 276.
established, we would perhaps be justified in neutralizing him, as we would a venomous snake or lethal bacteria, in order to prevent further harm. But if we really were confident that he was so wicked as to be beyond normal humanity – wicked for wickedness’ sake – it is far from clear that we could reasonably try such a person for their crimes, as they would in that case, as Podhoretz stresses Eichman in fact did, qualify as *insane*. Had Eichmann truly been a monster, Arendt says, “Israel’s case against him would have collapsed or, at the very least, lost all interest.”  

Insofar as we are to not only manage the liabilities he represents but to hold him morally and juridically accountable, Arendt argues, we are forced to consider him not as a monster but as a fellow person – a person who did what any of us might have but most of us did not. And it is vital that we hold people like Eichmann morally and juridically accountable, for to do so affirms that people like Eichmann, facing the conditions Eichmann faced, are capable of and responsible for rejecting complicity in evil. If and only if we can hold such people accountable in this way is the form of evil exemplified by the Nazi monstrosities amenable to mitigation by human agency. Insofar as we care for the world, then, we must hold people like Eichmann morally and juridically accountable as fellow persons.

To affirm that persons like Eichmann, facing the conditions Eichmann faced, are indeed responsible for rejecting complicity is a radical proposition, for it entails that we are always responsible for (1) thinking and judging on our own, and (2) sacrificing our careers and places in society for the sake of non-participation in structures of evil. Even where the role in question is simply the natural one society has provided for us, even where it seems plausible that we may, through our own exceptional virtue, do less evil

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than other candidates for our role, where that role is implicated in massive evil we are responsible for at the least stepping away from that role, and where possible, we are responsible for more substantial resistance. We are responsible for making real our opposition to evil, at the least by making real our denial of support. This is a radical proposition: Because the forms of evil we are responsible for opposing cannot be delineated in advance of the work of thinking well, and because most of us fail to think well most of the time, for us to take responsibility by thinking well risks the possibility that we will find ourselves responsible for opposing structures of power represented by our communities, our corporations, our nations, our families. This responsibility is thus a grave burden on, and a threat to the identity, social standing, and economic stability of, every individual person. And it is a threat to every structure of power prone to courses of conduct predicated on the failure to take the perspective of those whom that conduct affects. Anyone who does think, and so does take the perspective of others, may come to see that some structure of power is one which they must, in order to live explicitly with themselves, resist. Such an individual may then serve as a moral exemplar for others, and since human power is nothing other than the coordinated support of individual persons, where enough people indeed follow that example that structure of power will fall. All structures of power do well, therefore, to ensure that Eichmanns are not held accountable in the way Arendt recommends.

For Podhoretz, Arendt’s distinctive perversity lies in the conjunction of her respective judgments with regard to Eichmann and the Jewish-council leaders, a conjunction betraying her “habit of judging the Jews by one standard and everyone else
by another.”406 It is as a function of this habit that “In place of the monstrous Nazi, she
gives us the ‘banal’ Nazi; in place of the Jew as virtuous martyr, she gives us the Jew as
accomplice in evil; and in place of the confrontation between guilt and innocence, she
gives us the “collaboration” of criminal and victim.”407 But this seems curiously,
precisely backwards. For Arendt the point is precisely that there can only be one standard
for moral judgment, and that is the standard of human responsibility as such. With respect
to both Eichmann and the Jewish-council leaders, this standard yields a verdict of
criminal behavior on the grounds of banally irresponsible thoughtlessness, though the
respective verdicts differ greatly in magnitude and consequence (Eichmann should be
hanged and the Jewish-council members should not, for example). And to affirm each
verdict is to affirm the responsibility every person owes to every other person as such.
Podhoretz, on the other hand, does seem to insist on differentiated moral standards: one
for the “guilty,” who ought to be condemned and punished, and one for the “innocent” –
The victims – who, as we have already seen, ought not to be judged at all. But the deeper
point is that even with regard to Eichmann, Podhoretz cannot countenance any moral
judgment in Arendt’s sense. For Podhoretz, we must judge Eichmann a monster, which is
to say that he is not a human who committed evil acts but rather is simply evil itself. To
judge Eichmann as a person, Podhoretz understands, would entail the responsibility of all
persons to all persons as such, which would entail that even the victims are to be held
responsible for their wrongs, for the victims remained persons. And so, making the
choice to morally judge no one at all, Podhoretz obscures his having made that choice by
directing our focus to the business of “aesthetic” judgments in Abel’s sense – sorting

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406 Podhoretz, “Perversity of Brilliance.”
407 Ibid.
people into heroes and villains. When Podhoretz accuses Arendt of judging Eichmann and the Jews by differing moral standards, then, what he is doing is assimilating Arendt’s moral judgments to his preferred “aesthetic” or social ones, as if Arendt were determining which persons are lovely and which are awful, blessed or accursed. That is, he not only rejects Arendt’s view of the matter, but he works to make it invisible, thus neutralizing the offense in ensuring that it will not be heard, and hence not adopted, by himself or others.

Podhoretz famously opened his review with a comparison of Arendt’s work to James Baldwin’s, whose article on the Black Muslims appeared in the *New Yorker* around the same time as Arendt’s original Eichmann pieces. “There is nothing clever,” Podhoretz says of Baldwin, “in the way he tells the story of the Negro in America. On the one side are the powerless victims, on the other the powerful oppressors; the only sin of the victims is their powerlessness, the only guilt is the guilt of the oppressors.” In place of a common humanity, we get the Good and the Bad – the Bad can do no good, and the Good, it turns out, can do no bad. That is, at least insofar as they ultimately intend to do good, the victims may employ whatever means necessary, including participating in the oppression of their fellow victims. There are such capital-G Good people, however, only if there is an ongoing war between the Good and the Bad, and so if there are Good people then it follows that there must be Bad people. To assert that Eichmann is not only guilty of human irresponsibility but a moral monster is thus to say that there are indeed Bad people, and so it is to say that there are Good people, too. Thus to insist that Eichmann is, must be, a monster is to affirm that the victims hold a moral blank check. Arendt’s

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408 Podhoretz, *Perversity of Brilliance*. 

226
distinctive “cleverness” and “perversity” is therefore to subvert the moral framework of
the black-and-white, zero-sum battle between the Good vs. the Bad, and so to deprive the
Good of their supposed moral immunity. “In place of the confrontation between guilt and
innocence, she gives us the ‘collaboration’ of criminal and victim.” But, precisely
because the victims were not incapable of resisting collaboration, that is simply to say
that she gives us a moral framework in which the victims remain responsible for their
decisions. And, as Podhoretz understands, it is to say that the criminals are responsible
for their own decisions in just the same way. Which for Arendt is as it must be, since
neither oppressor nor victim are, or so much as can be, either more or less than human.

There is a further, critical layer to the attempted swallowing of judgments as to
political responsibility by the dominating stream of evaluations as to personal goodness
of badness. In addition to tending toward the dichotomizing of the human community
into those who are and who are not to be held accountable for their actions, the focus on
the personal goodness of individuals tends to obscure the responsibilities individuals have
for the goings-on between them. So long as my intentions have been good, I reason, the
purity of my soul is assured and I may rest in self-assured comfort. Or, alternatively: If I
feel that wrongs have been done, what will matter is that I respond with feelings of guilt
and regret, more or less performatively flagellating myself for my sins, whether they
were truly my sins or not. In either case, Arendt argues, the function of the focus on the
goodness of souls is to obscure the imperative to take responsibility for what we do and
do not do in the world. Moving in the other direction, to sideline the question as to the
degree of malevolence of Eichmann’s intentions in culpably bringing about mass murder

409 Ibid.
and it is after all no crime to even demonically hate Jews if one simply stays at home and keeps their feelings to themselves – is thus to affirm the principle that we are each accountable to each other. For if, beyond whatever obligation we have to be good, we are accountable to each other, then where I wrong you the goodness of my intentions will not erase my responsibility to you for that wrong; my own satisfaction with the state of my soul, however legitimate it may be, does not in itself address your claim against me for what I have done. Likewise, my feelings of guilt will not in themselves repair the wrongs I have done. Since I am accountable for wrongs done in the world, the repair must likewise be in the world, at which point what does or does not go on in my soul is of little consequence.

This entails, again, that even those acting for a good cause, and so with good intentions, are still responsible for the wrongs they commit in fighting their good fight. Those inclined to arrogate to themselves the privileges of acting on behalf of the good against the bad have reason to obscure the fact of political responsibility by diverting focus to the goodness of souls. Witnessing to this form of responsibility further entails the radical consequence that structures of power founded on worldly injury remain accountable to the injured, not only for professions of guilt but for the real repair of their injury. Especially where the stability of these structures of power depends on continuing to inflict the injury in question, therefore, these structures of power will have reason to divert attention from away from the realities of political responsibility, and shifting focus toward accusations and professions of moral guilt will help achieve this diversion.

To summarize: Arendt’s critics more or less self-consciously refused to recognize – or else actively obscured – her claims as to (1) the possibility of and our responsibility
for objective, non-sentimental truthfulness on the basis of interpersonally accountable observation and argument; (2) the possibility of and our responsibility for specifically political or juridical rather than social or “aesthetic” judgment of persons and their actions; (3) the responsibility of persons for decisions under difficult conditions; (4) the possibility of and responsibility for resistance to evil through mere non-participation; (5) the possibility of and responsibility for judging all persons as persons for their shortcomings, which entails judging both those on the side of the oppressors and those on the side of the victims, since all are merely human. Arendt recognizes that these are neither self-evidently valid nor readily provable propositions – many intelligent people will never accept them. In persisting against intense resistance to advance her claims, however, she bore witness to the validity of the principle that we are all accountable to, and so must respect, communicate with, and judge each other as persons, with all the responsibilities being a person among persons entails. That is not in itself to say that she was right. Perhaps we should refrain from judging persons who are victims; perhaps participating in structures of power proliferating monstrous crimes is sometimes the most responsible course of action; perhaps we should judge oppressors as inhuman monsters rather than as ordinary humans whose shortcomings have caused monstrosities. But insofar as Arendt has a claim on our attention – as remains clear by the record 57 years after Eichmann’s publication – Arendt’s forays into the public sphere on these questions give us an opportunity and responsibility to give her viewpoint due consideration, and then to judge for ourselves.
What Follows?

As a rebuttal to Arendt’s judgment of the *Judenräte*, William Phillips pointed to the revolutionary implications of her position as making for a kind of reductio ad absurdum:

Such ideal moral and political opposition as Hannah invokes as a basis for criticizing the Jewish leadership exists only in revolutionary movements…If one might take as an analogy the treatment of Negroes in this country, it must be said that from some absolute, revolutionary point of view, most whites and most Negroes are cooperating with the system that produces the segregation and humiliation of a minority.\(^{410}\)

There are two intersecting points of astonishment here: (1) The proposition that anyone living under oppressive systems of power ought to take what amounts to “revolutionary” action, and (2) the proposition that even those most downtrodden would be responsible for their failures to oppose the system of oppression under which they suffer. Since most times are not times of revolution, Phillips reasons, and since it is unreasonable to demand of the oppressed that they take action against their oppression, it follows that Arendt’s judgment cannot be right. But one person’s reduction ad absurdum is another’s modus ponens, and it is clear from what I have shown that Arendt would indeed embrace these clear implications of her thinking: Anyone finding themselves implicated in oppressive systems of power, the

oppressed included, ought to act toward the revolutionary overturning of those systems, and ought to be held accountable for their failure should they fail to do so. We are not all equally equipped to resist, but we are all equipped to resist, and to call others to resistance in so resisting. Are we all implicated in oppressive systems of power such that we are responsible for acting toward their revolutionary dissolution?

It is true that Arendt says that the moral constraint provided by her Socratic framework will activate only in emergencies, as it is only when, upon due reflection, we could not so much as imagine living ourselves should we continue in a given course of action that we are constrained against continuing that course of action. And it seems clear that the kind of case she has principally in mind is one on the scale of the Nazi program of genocide. This is important to Arendt’s argument, as the plausibility of her categorical rejection of pragmatic accommodations in pursuit of the “lesser-evil” rests on the sheer massiveness of the evil in question.

It is also true, however, that on Arendt’s view there can be no pre-determined rules as to what constitutes an “emergency” in this sense – it is all and only a matter of irreducibly personal, fundamentally spontaneous judgment. Any injustice of any apparent magnitude, therefore, may on Arendt’s view entail our responsibility to oppose it – and perhaps to judge it an emergency. The only criteria for determining this question will be whether or not, upon due reflection – which entails taking the perspective of others, and especially that of the victims – we can honestly imagine living explicitly with ourselves should we fail to oppose the injustice to some or another degree and in some or another way. Where we find we could not justify our inertia adequately to the victims, therefore, we will be rightly held responsible for
our inertia by the victims. And, since the victims would as persons be holding us responsible as persons, it follows that we would be rightly held responsible by ourselves and others as well. For Arendt, these relations of accountability will be impressed upon us insofar as we think. And we always have a responsibility to think.

It is not the case, however, that every form of participation in any injustice will require that we forfeit our lives, or even our jobs. The level and form of sacrifice required will enter directly into the equation of judgment as well, the question being whether or not one would be able to live with themselves should they fail to make the sacrifice in question. This, as I have argued, ultimately rests on the question of whether or not one could adequately justify their refusal to make that sacrifice to the victims of the injustice one would thereby fail to oppose. Prior to reflection, then, it is an open question whether the evils of capitalism, for instance, entail that I am rightly held responsible for failing to withdraw from participation in all capitalist systems, given the gross difficulties full withdrawal would entail. Even if it would be unreasonable to demand my comprehensive withdrawal, however, Arendt’s point would still be that I am not on that ground simply free of responsibility in this regard. It may emerge, for instance, that I have a responsibility not to assume roles which proactively advance the evils of capitalism – the fact that the machine will carry on without me does not mean that I can responsibly help the machine carry on. And where I do have opportunities to oppose the evils of capitalism and support its alternatives – perhaps by voting, supporting appropriate candidates and policy proposals, engaging fellow citizens in hard conversations – I may well have a responsibility to take those opportunities, and so may well be rightly held responsible...
should I fail to do so. For Arendt, the fact that I cannot change the world myself is precisely why I must give public expression to my resistance to the world’s evils. In this way, and in this way only, I can participate in the generation of sufficient power to make a lasting political difference.

Beyond reacting to any particular injustice, the more fundamental point for Arendt is that we are all always responsible to ourselves and to each other for the creation, sustaining, and progressive expansion of the political realm as such. For it is the distinctively political realm – the realm in which “the interconnected principle of mutual promise and common deliberation”\(^\text{411}\) is made real – which is constituted by the give and take between persons on the basis of their personhood. This entails the respect of each citizen for each other citizen as such, which entails expunging modes of political engagement which manipulate others for private ends in favor of shared moral deliberation where no force is employed other than that of the better argument. It is in the interest of private parties, however, to not only refuse to engage in genuinely public deliberation but to actively obscure its very possibility by making out all speech as merely pragmatic private-interest grabbing. It is the responsibility of citizens, therefore, to resist these forces in witnessing, through personal example, to the possibility of genuine public deliberation on the basis of mutual respect.

It will likely be in the interest of the private powers-that-be to obscure the possibility of personal truthfulness – the possibility of an individual person’s testifying to a shared public reality simply on the basis of its being a shared public

reality rather than for some ulterior motive. They will encourage the view that there are always two sides to every question, that no one’s view is better than anyone else’s, that there is no way to establish anything like public truth and so it is no use trying. Arendt agrees, in a way: The proper currency of the political sphere is personal opinion rather than objective truth. To impose truth on others simply on the basis of its being truth is thus paradigmatically destructive of the political, as it denies the plurality of approaches to the world, flowing from the plurality of persons in the world, which constitutes the political. What for Arendt can be done however is for individuals to present truthfulness to the public, genuinely seeking to establish a shared understanding of reality on the basis of interpersonal respect. To do this is first to call things as one sees them, and to strive to see things as others see them and so independently of how one wants to see them. It is then to persist in calling things as one sees them in face of resistance from those whose interests lie in our seeing them otherwise or not seeing them at all. In doing so one witnesses to the possibility of personal truthfulness, and in so doing calls others to the same as a function of mutual responsibility.

Corey Robin argues that, perhaps against her better lights, the ethic Arendt champions here is of a distinctively Jewish character, and for that reason was of particularly powerful offense to her fellow Jews: “Jerusalem…—not the Athens of the Greeks or the Königsberg of Kant—may be not only the site but also the spirit of Arendt’s text… In Arendt’s judging and her judgment…readers, particularly Jewish readers, detected the return of a strenuous ethic, native to their tradition, that demanded righteousness, an ethic that reminded the Jews of their peculiar
obligations to their God.” The idea is that the Jewish God’s demands of Jews are thought to be comprehensively unyielding and unendingly specific, leaving no realm of human behavior, no matter how arguably insignificant, unfettered by responsibility. “Return the coat of collateral at night; take the eggs, not the bird; give a hunted Jew a truck.” Robin argues that Jews, with the memory of unimaginable tragedy still fresh and the sudden achievement of national sovereignty and its prerogatives, were powerfully averse to the idea that Jews should be subject to judgment for their at-worst merely human foibles. “The Nazis destroyed a third of the Jewish people,” Podhoretz writes. “In the name of all that is humane, will the remnant never let up on itself?” Arendt is thus cast in the role of the biblical prophet, calling God’s people back to their covenant with God and the obligations that covenant entails.

Robin is quite right in this, in my view, with the qualification that the ethic in question is not only that of Jewish law but of Jewish prophecy. Arendt’s message is not only that we are never free of responsibility for acting rightly, but that we are never free of responsibility for calling others to act rightly as well. We are all always responsible to and for each other, and we fulfill that responsibility insofar as we make our taking of that responsibility publicly manifest in word and deed. This, I have argued, is the work of prophecy.

By way of conclusion, I return briefly to the anticipated objections sketched in the introduction to this chapter. Is Arendt’s conception adequately religious so as to

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413 Ibid.
414 Podhoretz, “Perversity of Brilliance.”
reasonably qualify as prophetic in character? What I want to point out here is that 
Arendt’s articulation of our responsibility under conditions of injustice overlaps 
substantially with what I have shown that Soloveitchik, speaking in an overtly theological 
register, refers to as prophetic. For Soloveitchik, the prophet is she who, in heeding the 
cries of the oppressed, performs an act of judgment, undetermined by any fixed rule, with 
respect to the injustice under which the oppressed suffer, and makes their adoption of that 
judgment publicly manifest through unscripted word and deed. Refusing the dominion of 
utilitarian calculation and mathematical-scientific cognition, the prophet discerns in the 
irreducibly personal registers of reality a moral charge to fight for justice and to call 
others to do the same; refusing the temptation of merely private thought and passion, the 
prophet abjures all judgment that is not made critical on the basis of manifest 
accountability to others. To open oneself in this way, Soloveitchik argues, is to open 
one oneself to the commanding voice of God. And it is only through heeding that voice that 
we have hope of avoiding mass-societal evil. With the sole exception of the theological 
claim identifying God’s voice as the source for spontaneous judgment of evil, every 
element here is vital to Arendt’s account. It follows that if the theological claim is 
plausible in the context of Soloveitchik’s account, it is plausible in the context of 
Arendt’s. What we ought to derive from the convergence is that, even in overtly religious 
contexts, claims to divine revelation ought to be understood far more expansively than we 
might have thought. Not every prophet of the Lord announces or understands themselves 
as such. Arendt, I argue, is case in point. 

It is true and critical that, for Arendt, demands for material welfare addressed to 
the public can amount to threats against the political as such. The demands of the
stomach are absolute – they can be met or refused, but they cannot support engagement in the reciprocal give and take of open-ended deliberation, and so those who propose refusal must either be eliminated or else succeed in eliminating, silencing, or otherwise ignoring the stomach. Hunger, and physical suffering more generally, are in the first place matters of value-neutral biology, not justice. But that is emphatically not to say that they cannot be matters of justice as well. It is one thing for me to cry out in hunger; it is another entirely for me to demand sustenance for myself, my family, my community, or my social class on the grounds that my fellow citizens owe us equal access to life’s necessities, for instance. In addressing the latter demand, I rise above the biological plane to the properly political – my demand is predicated on the shared humanity and presumed commitment to justice of my interlocutors, and thus invites them to conversation rather than elimination. Both in my demand for justice, and precisely in demanding from my fellow citizens engagement on the question of hunger as a matter of justice, my intervention is political in Arendt’s sense, prophetic in mine.

Like hunger, the claims of morality tend to be absolute and univocal and so inimical to the essential plurality and open-endedness of the political realm. But recall that for Arendt, morality – the societally-prevailing set of rules detailing what we ought and ought not do – is of little use when the chips are down. What the 20th century has taught us is that the most fastidiously righteous rule-followers will be the first to exchange their mores for new ones when such is dictated by the powers that be. Morality, as classically understood, was revealed as bankrupt. But what this entails for Arendt is precisely not that we ought not to care for others, but that caring for others is not in the first place a matter of morality as popularly understood. Prior to questions of what
conventions ought to govern our interactions, rather, is the more fundamental question of whether or not we are prepared to take responsibility for sharing a world with others. And this, for Arendt, turns out to be a question of whether we are prepared to take responsibility for thinking in the sense of making real our relations to ourselves and others as genuinely conversational, taking into account and making ourselves accountable to the perspectives of others. Insofar as we make that accountability real, we have taken the most essential step we can take to caring for others when the chips are down. And we have, I argue, realized ourselves as prophets.

Arendt preferred to remain out of the limelight as best she could. But this was not out of any disinterest in influencing others. It was, rather, a question of how to influence others in the right way. What matters is not that others repeat the right slogans, or even that they hold the right opinions. What matters, rather, is the fundamentally personal, inner question of whether individuals sustain the practice of thought. Thinking cannot simply be announced on a talk-show, however. Thinking, and the commitment to truthfulness and personal integrity it entails, can only be shown through persistence in leading a life, in face of all resistance and every obstacle, in service of human plurality and the responsibilities it entails. In so doing, I argue, Arendt addressed a personal, prophetic claim to us to follow her example.
Chapter 5

“Jerusalem against Athens has become the emblem for revelation against reason, for the hearing of the commandments against the search for first principles, for the love the neighbor against explanation of the world, and for the prophet against the philosopher. When the common concern of Athens and Jerusalem for the establishment of justice, whether immanent of transcendent, is taken into consideration, these contrasts of form and method lose their definitive status” (Gillian Rose, Judaism and Modernity, 1).

The aim of this chapter is to show in detail that and how prophetic political action as I have modeled it is not only acceptable by the standards of liberal-democratic ethics but is in fact required for the successful realization of the liberal-democratic vision. Prophecy, I argue, is constitutive of a sound liberal-democratic ethic of citizenship. In working to both articulate and corroborate this thesis, I turn to the work of John Rawls, arguably the most influential 20th century theorist of liberal “public reason” and the point of origin for much of the contemporary academic resistance to religion in the public square. Rawls himself, I argue, came, perhaps unwittingly but in accordance with his better lights, to embrace the form of prophecy I champion. By way of conclusion, I employ some recent work on the concept of charisma to further articulate the concept and import of liberal-democratic prophecy.
I anticipate a cluster of objections to my thesis here. First, while I have argued that prophecy need not take explicitly theological form, it certainly can, and many liberal theorists have argued against the propriety of adducing religious reasons in justification of this or that public policy.\textsuperscript{415} To allow such reasons is to court the possibilities not only of theocratic infringement of freedom but, if left unchecked, the all-out religious wars and violence of the sort forming the background against which the modern liberal state was in large part a curative reaction. \textit{Prophets}, moreover – as opposed to priests, scribes, and other public champions of divine doctrine – would seem to be particularly, even paradigmatically anti-democratic figures. Where liberal theory’s ideal citizen engages their fellows through rationally deliberative dialogue on the basis of presumed equal standing and by appeal to shared premises, the prophet apparently takes herself to be in possession of a truth which her audience is not, arrogates for her words and so for herself an authority which she does not take her audience to enjoy, and unilaterally expresses that authority in proclaiming that truth and demanding concrete societal transformation, often at great cost, in its light. “Public reason,” Rawls says, is “the reason of citizens as such.”\textsuperscript{416} The prophet, by contrast, would seem to be appealing to a reason uniquely available to her, not as a citizen as such but as an individual privileged with transcendentally-sourced information. And she acts like it. When Jeremiah’s fellow Judeans object to his oracles, Jeremiah’s recourse is not to impartial rational argumentation but to still fiercer condemnation and exhortation in purported transmission

\textsuperscript{415} “One of the prevailing opinions among liberal political theorists has been that citizens ought to bracket their religious convictions when deliberating political matters” (J. Caleb Clanton, “Introduction” in \textit{The Ethics of Citizenship: Liberal Democracy and Religious Convictions}, ed. J. Caleb Clanton, Waco: Baylor University Press, 2009).

\textsuperscript{416} John Rawls, \textit{Political Liberalism}, 213.
of God’s fiery, rock-shattering word (Jeremiah 23:29). This seems fundamentally uncivil, representing a pointed failure of liberal respect. Articulating a liberal-democratic ethic of prophetic practice will require a critical, dialectical engagement with both the demands of liberal respect and the imperatives of the prophetic pursuit of justice. Spelling out the logic of each, I argue, leads to a rapprochement of both.

Second. Summarizing the challenges facing the effort to enlist the prophetic example for democratic purposes, Jeffery Stout writes that

There is much to admire in the prophetic critic’s concern for the rights of the least…But there is also much to fear in the preaching and deeds of these men. The prophetic call, as Calvin put it, ‘to reduce the world to order’, is often couched in a language of divine violence and vengeance. It typically claims for itself the power of what Calvin called celestial truth, and brooks no opposition.417

Prophets, Stout observes, would in a democratic context fail to respect their fellow citizens in discounting any opposition to their purported divine mandate, resorting to at least rhetorical violence as necessary. Stout argues, moreover, that the biblical treatment of Moses makes clear the undemocratic underpinnings of prophetic practice: When Moses’ sister Miriam and brother Aaron question Moses’ prophetic supremacy and its attendant privileges, they are sharply repudiated by God, and Miriam, although not

Aaron, is stricken with leprosy (Numbers 12:1-10). Miriam and Aaron may be prophets in their own right, God says, but no prophet rivals Moses in the mode and quality of his communion with God, and so no rival prophet may so much as question Moses’ prerogatives. “The Bible leaves no doubt, in the end,” Stout concludes, “that it does not imagine the resources of genuinely prophetic speech to be available to everyone…What, then, can prophetic social criticism mean in a democratic culture, if not that God authorizes some but not others to speak?”

Since in a democratic culture all should be authorized to speak on free and equal terms, it follows that prophetic social criticism has no place in a democratic culture. Even where the supremacy of one prophet over all others is not so explicit as in Numbers and Deuteronomy narratives, the possibility of hierarchical relation of prophets to lesser- or non-prophets would seem to be intrinsic to an institution in which an agency without accountability to the people picks winners and losers. God could elect everyone equally, but God may not, and prophecy seems to offer no mechanism for correction or accountability if God – as mediated through God’s purported messengers – does not. The question is thus whether prophecy can be reliably understood as necessarily the property and privilege of all if the property and privilege of any.

Third. Stout’s flagging of the Mosaic example is astute, and the problems it poses for the prospect of liberal-democratic prophecy go beyond the worries he puts forward. Moses not only enjoys inegalitarian social privileges but is a full-fledged authoritarian political leader – the Talmudic rabbis recognize him as a king – commanding the full musculature of state power. As a prophet, Moses not only exhorts and admonishes but

418 Idem, 323.
issues binding law – he represents the sole legislative and judicial authority of the polity. His legislation, moreover, is asserted to be beyond the possibility of repeal. He commands the military and retains sole control over state appointments, delegating the publicly-funded priesthood to his brother Aaron, and when challenged on this score calls upon the wrath of God to quell the dissent (Numbers 16). Perhaps most critically, when God’s, and therefore his own, sovereignty is threatened in the golden calf episode, Moses enlists his Levite brethren to carry out a purge of three thousand alleged rebels by the sword (Exodus 32). In sum, for Moses the practice of prophecy underwrites the exercise of comprehensive, coercive political authority backed by a monopoly on legitimate violence – the prophet is the state. Formulating a sound liberal-democratic ethic of prophetic citizenship would thus seem to require formulating an ethic of prophecy divorced from the Mosaic model. And to the extent this ethic is intended to belong to the prophetic tradition rooted in the Hebrew bible, it will require a reading of that tradition capable of grounding the distinction.

Fourth. The prophetic appeal is to a form of truth, and as Arendt argues, appeals to truth are in themselves fundamentally inimical to politics as such. Politics for Arendt is that realm of interpersonal goings-on in which human freedom and plurality enjoy unconstrained exercise in the form of unconstrained, open-ended discussion. But there is only one truth, and that one truth is in no way relative to the perspective, let alone consent, of any individual. To invoke truth in the course of political discussion is thus to seek to negate the discussion as a discussion. If successful, the result is a monism rather than pluralism of voices. Genuine politics, however – and surely what we call democracy – is predicated on the assumption that “men, not man, live on the earth and inhabit the
world,” as Arendt writes.419 Truth as such functions as an absolute, and as Bonnie Honig writes, “absolutes occlude the contingency that is the quintessential feature of the public realm, the feature in virtue of which political freedom and human innovation are possible.” As such, Honig concluded, “Even if appeals to an absolute could still sway us, even if religious sanction was still viable for the political realm appeals to an absolute as a ground of politics, in Arendt’s view, would be illicit.”420 It is partly on account of this line of thinking, George Shulman suggests, that prophecy is absent in much of contemporary political theory, as “The legacy of ‘Jerusalem’ – theist absolutes and redemptive rhetoric – seems inherently antipolitical.”421 Building on my discussion of Arendt in the previous chapter, articulating a democratically viable ethic of prophecy will require discerning a mode of appeal to truth that respects and sustains, rather than destroys, the plurality intrinsic to political life.

Fifth. A challenge for democracy is presented not only when others are forced against their stated wills to accept the prophet’s truth but no less when they accede enthusiastically. The danger of the latter challenge is endemic to democracy as such: Precisely to the extent that democracy welcomes the free expression of opinion and charges individual citizens with the freedom and responsibility to make up their own minds on matters of public import, democracy is vulnerable to subversion and hijacking by capable demagogues. The responsibility to freely make up our own minds is one we are often loath to fulfill, and so we are liable to welcome the efforts of others to make up our minds for us. Rather than rationally and deliberatively persuade, the prophet can

emotionally seduce, and so despoil citizens of their intellectual autonomy. As Vincent Lloyd puts it in articulating our culture’s predominantly jaundiced view of charisma,

The charismatic speaker is a Don Juan for the masses, entrancing listeners in order to advance his or her own interests. These interests range from the self-aggrandizing to the world-historical. Followers of the charismatic leader are so smitten that they lose their heads. Reason is suppressed as pure emotion, pure misguided affection, takes its place. The only reasons that followers will give for their commitment to the charismatic leader are echoes of the reasons offered by the charismatic leader, no matter how unreasonable those may be. What could be more evil than denying others the capacity to be themselves, to reason and feel as they naturally would?422

In sum, charismatic speech negates the plurality of persons by assimilating the rational agency of the leader’s followers to that of the leader. If this view is right, then insofar as the prophet is a charismatic speaker, her prophecy will be to that extent such as to subvert democracy. What would be required in that case is a model of prophecy on which charismatic speaking is ruled out, a prospect which seems implausible. More plausible would be to follow Lloyd in drawing a distinction along the lines of Lloyd’s between “democratic” and “authoritarian” charisma.423 That is, a sound liberal-democratic account of prophetic citizenship will be one in which the prophet’s charisma is employed precisely in service of respecting, sustaining, and perhaps even proactively cultivating the

423 Idem, 6-7.
rational autonomy of her followers. And so an ethic of prophetic citizenship will pass liberal-democratic muster if and only if it provides clear guidance to both would-be prophets and their followers in navigating the uses and abuses of charisma.

Sixth. As I have modelled it, prophetic action is irreducibly personal in character, the surface performance directing attention toward specific inner states. The prophet addresses a claim to her audience to care about this or that by way of putting forth her own concern – it is in seeing her own caring that we are called to care. This presupposes, of course, that we indeed can and ought to see that she really does care, and that she can and ought to communicate this to us. This tracks nicely with a powerful stream of contemporary democratic culture which seeks out and rewards sincerity, authenticity/genuineness, straight talk/shooting, honesty, and “telling it like it is” in political figures – we want to know that our leaders really care what they say they care about. And for a foundational theorist of deliberative democracy like Habermas, sincerity is indeed a fundamental virtue of communicative action and so of liberal-democratic practice.

The problem, however, is that no one ever enjoys unmediated access to anyone’s inner states, very much including their own. Claims about one’s own or another’s inner states are thus ripe for abuse – if there can be true prophets, there can be false prophets. Claims to transparency about one’s own or another’s inner states are moreover problematic in that, by endeavoring to collapse the distinction between inner and outer, they do violence to one or both. If the contents of my soul are to be made visible, then there will per force be little content to my soul; if what really matters is the contents of my soul, then my outward conduct does not really matter. “By refocusing attention on the
actor’s supposed authenticity,” Elizabeth Markovits writes, “speakers circumvent issues
of fact and ethics. Politics becomes a display of intimacy, rather than discussion of public
matters, and the political realm is marked by melodrama and mistrust.” Finally, to the
extent that what matters in political life is having the right inner states, it will make sense
to demand of others that their inner states – their beliefs, emotions, desires, etc. – be the
correct ones. The threat to freedom this entails is particularly pernicious not only because
of the vital sanctity of the individual mind and heart, but precisely because no one can
ever prove beyond empirical doubt that they are indeed among the righteous on this
plane. The natural result, as Arendt observed, is terror. Articulating a democratically
viable prophetic practice will therefore require grounding a relation between the inner
self and outer conduct that safeguards the integrity of each, granting meaningful access to
the former only through the latter.

Many of my arguments here are foreshadowed in earlier chapters. My aim here is
to fill these arguments out and, aided by the insights won from my study of Heschel,
Soloveitchik, and Arendt, articulate a liberal-democratic ethic of prophetic citizenship.
The question, as Danielle Allen puts it, is “how citizens should talk to each other in order
to sustain legitimate political practice.” My answer is that first and foremost they
should talk to each other prophetically. This chapter is an effort to redeem that claim.

Suppose I know that my liberal democratic society is in some significant respect
conducting its affairs wrongly – so wrongly, in fact, that God’s cup of wrath has filled to

424 Elizabeth Markovits, The Politics of Sincerity: Plato, Frank Speech, and Democratic Judgment,
(University Park: Pennsylvania State University Press, 2008), 171.
425 Danielle Allen, Talking to Strangers: Anxieties of Citizenship since Brown v. Board of Education,
the brim. The ruling majority of my society does not know this, and yet I do, not because I have unearthed some hitherto undiscovered empirical facts bearing on its truth, and not because I have devised some new crackerjack argument, grounded in broadly shared premises, justifying this conclusion, but because I, a prophet of the Lord, have been informed by God that this is so. Or, alternatively, I simply know. I also know, let us suppose further, that it is vitally, urgently important for my fellow citizens to learn this information, and so I know that I should, all things being equal, share it with them.

All things are often not equal, of course, and the idea that this kind of communication – or communication of this kind of information – can run afoul of the best practices of liberal democracy is a frequent, albeit contested, verdict. On a liberal conception, not only should no member of a given polity have their basic freedoms constrained by others without there being an objective justification, but no member of a given polity should have their freedom constrained without there being on offer an adequate justification adequately addressable to them – a justification which, even should they disagree, they could reasonably be expected to reasonably regard as reasonable. That this is so represents a right claimable by any member of the polity against any other, and so every citizen has a standing duty not to promote the coercive constraint of others’ basic liberties unless and insofar as she can address a justification which will be, or that she reasonably believes will be, regarded as reasonable by those others should they regard it reasonably. This duty is presumably perfect – one should, all things being equal, never constrain someone’s basic liberties in a manner one cannot justify to those
constrained, since to do so is to violate their autonomy as rational agents, to fail to respect their status as ends rather than means.\textsuperscript{426}

It is a far fuzzier matter, however, to what extent and in what ways one must and must not, ought and ought not, actually communicate one’s justifications to one’s actual fellow citizens; this will depend on the nature of the proposition, the parties involved and their respective standings, the cultural, political, and personal contexts of all of the above, and so on. That is not to say there can be no deliberative rules of thumb, nor that settled conventions cannot create expectations which lend moral valence to otherwise neutral conduct. But this is not a legal question, and what will matter in the end is not conformity to a set of rules per se. As I deliberate on whether and how to share my prophetic proposal for social change, rather, the most fundamental question is simply how best to respect my fellow citizens as autonomous rational agents, how best to honor their value as equal collaborators in our shared political project. But what is it to honor the value of some X under a given description? It cannot be merely a matter of having the right cognitive, emotional, or volitional states, as it is perfectly possible for me to hold someone in high regard and yet fail to respect them in practice. It cannot be merely a matter of engaging in the right forms of overt conduct, as the success of any such form in manifesting respect can in principle be undermined by the betrayal, or even simply the reasonable suspicion, of ulterior motives. Further, given the fundamentally interpersonal aspect involved – at issue is not my moral excellence per se but the quality of my relations to others – success requires not only that I think and act rightly but that I

\textsuperscript{426} To be sure, it is a matter of judgment to determine in practice what counts as a constraint on someone’s basic liberties and what counts as an adequate justification thereof. Open texture notwithstanding, however, the rule plausibly stands firm.
convince, or at least offer a convincing case to, others that I am indeed thinking and acting rightly in respecting their value. It is them to whom I am accountable for my respect, and so it is to them whom I must make available an account. What is necessary, then, is that I exhibit the right forms of conduct recognizably as a function of the right motives.

What makes conduct and motives right in this context? Most fundamentally, I suggest, to honor the value of X under a given description is to seek X’s good as determined under that description. For me to honor my son’s value as a human person is not simply to perform a determinate set of discrete parental duties – say to feed, clothe, house, and educate him beyond specified minima – but more fundamentally to take responsibility for proactively ensuring his wellbeing and holistic development as an excellent, flourishing human person, whatever that in my best judgment turns out to require, and it is this more fundamental, holistic, and open-ended responsibility which grounds the otherwise motley set of discrete duties and guides their otherwise indeterminate application.\(^427\) Again, I will have succeeded in taking responsibility in this sense not only if I secure the intended results – though that surely helps – but insofar as my conduct is such as to make manifest to others and to myself that I indeed honor my son’s value in seeking his good on that basis.

Importantly, if I fall short in this, it is not only my son who may rightly hold me to account. There is his mother, first of all, and his grandparents, aunts and uncles, concerned friends, professional caregivers, etc. More generally, valuing X entails valuing

\(^427\) This account builds on the work of Iris Marion Young delineating “forward looking” responsibility from responsibility understood as retrospective liability. See Iris Marion Young, Responsibility for Justice (New York: Oxford University Press, 2011).
the valuing of X, which entails valuing the valuers of X in their valuing. Insofar as I fall short in valuing X, therefore, that falling short represents a disvalue to all X-valuers, and insofar as I am myself, despite my lapse, in principle an X-valuer, I acknowledge my own and all other X-valuers’ valuing of my valuing X and so the disvalue of my disvaluing X. I am called, in other words, by the community of X-valuers to value X and held to account for that valuing on pain of de facto exclusion from the community. Should I be incapable of rejecting the value of X wholesale – as most people are with respect to the value of persons but are not with respect to the value of the acclaimed Norwegian death-metal band Gorgoroth – then I will remain in perpetuity responsible to the community of X-valuers, myself included, for honoring the value of X, and I will meet that responsibility insofar as I manifestly seek the good of X qua the respect in which it is valued.

428 More fully: If agent A values X, then all things being equal, A at least tacitly values the valuing of X. As the ceteris-paribus disclaimer indicates, the entailment claimed here is clearly not of the strictly derivative type; nowhere in the course of its violation need be asserted any P and ~P. But insofar as the valuing of X is a sapient, self-reflective performance – insofar as it is not merely brute inclination, but belongs rather in the space of reasons – a commitment to valuing the valuing of X will be for A an implication of a commitment to valuing X, an implication the making explicit of which would be among the tasks of A’s project of self-conscious rationality, should she pursue such a project, and the denial of which would threaten that project’s prospects. (Conceptual machinery borrowed from Robert Brandom, *Reason in Philosophy*, Cambridge: Harvard University Press, 2009, esp. 27-52.) For my purposes – showing that valuers have reason to hold other valuers to account, and to be held to account in turn – this is adequate. Cf. J.N. Findlay: “Plainly it is in a deep sense ‘natural’ and ‘consistent’ to like the liking of X if one likes X…It is not a logical move in the sense of an obligatory entailment – one need not take it, and even may refuse to take it – but it is none the less ‘reasonable’ in the paradigmatic sense in which inductive and analogical arguments are ‘reasonable’” (J.N. Findlay, *Axiological Ethics*, London: Macmillan and Co, 1970, 89).

429 It is, as Kant saw, effectively incoherent to recognize a given value, even (especially?) one determined without reference to fixed concepts, and yet be indifferent to its recognition by others, as he says of beauty: “He [someone declaring an object beautiful] judges not merely for himself, but for everyone…Hence he says that the thing is beautiful, and does not count on the agreement of others with his judgment of satisfaction because he has frequently found them to be agreeable with his own, but rather demands it from them. He rebukes them if they judge otherwise, and denies that they have taste, though he nevertheless requires that they ought to have it” (Immanuel Kant, *Critique of the Power of Judgment*, transl. Paul Guyer and Eric Mathews, New York: Cambridge University Press, 2000, 98, emphasis in the original).
With all that in hand, let us consider again what I, a would-be prophet trumpeting God’s voice in critique of my society, owe my fellow citizens in respecting them as autonomous rational agents and equal partners in a shared political project. Suppose first that through my prophetic advocacy I aim to enact legislation relating to what Rawls calls “constitutional essentials” – say requiring the manumission of slaves – and so potentially to coercively constrain the exercise of basic liberties such as the right to property. If I proclaim to my fellow citizens God’s word on this point and am reasonably, decisively rebuffed, my claim regarding the divinely communicated necessity of manumission reasonably denied with finality, then to persist in advancing the cause presumptively amounts to a failure to respect my fellow citizens. That is, if I come to understand that my fellow citizens, situated and constituted as they are, can and do reasonably deny my claim to prophecy and thereby my claim that we ought to enact legislation requiring the manumission of slaves, then for me to aid in enacting legislation to that effect, per force without success in the work of autonomous-rational-agency respecting persuasion, will manifest apparent disregard for the autonomous rational agency of my fellow citizens. Likewise if I judge that by the standards of reasonability they should deny my claim, even, or perhaps especially, if I judge that on account of non-rational charms or incentives they will or in fact do accept it; in manipulatively subverting their rational deliberation, I offend against their status as rational agents still more directly than in constraining their liberty to act on the issuances of that deliberation.

Now, where I am sufficiently certain that the value the legislation represents for my fellow citizens qua rational agents would in the long run outweigh the local injury to their autonomy in enacting it, it may indeed be in keeping with respect for their rational
agency to enact the legislation over their reasonable protests, since they too would rationally support the legislation if they knew what I know. But it is hard to see how or on what grounds I could claim adequate confidence to this effect given my acknowledged lack of reasonable expectation that my fellow citizens might accept my claim; it is apparent that I do not possess reasons of a sort sufficient by the standards of objective rationality to establish my claim with anything like certainty. Knowing that I subjectively believe a proposition, however confidently I believe it, is different from knowing that it is objectively true, and the difference is marked in part by my further knowledge in the latter case that the proposition could in principle be rationally justified to others. To have knowledge of objective truth, “It must be possible,” Nagel says, “to present to others the basis of your own beliefs, so that once you have done so, they have what you have, and can arrive at a judgment on the same basis.” Since by hypothesis I cannot present to my fellow citizens the basis for my claim such that they have what I have – if they indeed had what I have, they surely would not so decisively rebuff my claim – I cannot claim to enjoy knowledge of objective truth in the required sense, and so any attempt to impose constraints on their liberties on account of the disputable proposition will prove disrespectful toward their rational agency even where I am highly confident that doing so would ultimately be in their best interest.

Nagel reasons that a revelation-grounded claim will necessarily run into this barrier, since “to report your faith or revelation to someone else is not to give him what you have, as you do when you show him your evidence or give him your arguments.”

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431 Ibid.
But why should it be, exactly, that when it comes to faith or revelation one cannot through communication of evidence or arguments give to another what one has? Suppose I inform you that God has communicated to me God’s deep sorrow and wrathful displeasure with the institution of slavery and has demanded that everyone in our society free their slaves immediately, and suppose you take me at my word, accepting the concluding directive on that basis. Have I given you what I have? Arguably not: for whereas I, let us say, accept the imperative to free the slaves on the basis of having been commanded to do so by God, you do not accept the imperative on the basis of having been commanded to do so by God, but rather on the basis of my having been commanded to do so by God – you cannot have what I have, since you are not me. (You can affirm the same sentence only at the cost of a decisive shift in its meaning.) Now it may be that my basis for accepting the manumission imperative is not only the first-personal, subjective reason that I have heard it from God’s own voice, but also the objectively formulated, third-personal reason that God has communicated this imperative to someone – a proposition you can fully and identically share – and it may be that I can provide arguments and evidence sufficient to persuade you of this. In this sense, I can indeed give you both the conclusion that I have and a basis for it. I still cannot, however, give you my basis for that basis, and it is hard to imagine that I can give you any basis on which rejecting the conclusion as unreasonable could not remain fully reasonable from your perspective.

The reasoning here is a version of that offered by Socrates in the *Meno*. Suppose you want to teach me, a moderately bright and eager but wholly untutored pupil, the art of geometry, and you begin by impressing upon me the Pythagorean theorem. Having
seen the formula on the board and heard it from your trustworthy lips, I accept it as true. Do I now know the Pythagorean theorem? Not quite, since to know, rather than merely believe, that something is true, Socrates says, requires being able to give an account of why it is true. And while I may be able to give an account appealing to your evidentially established trustworthiness, such an account, grounded as it is in the fallible perception of contingent affairs, will never provide support of comparable surety to that provided by proper geometric proof – I will have secured at most a probable belief, not knowledge. But now suppose you walk me through Pythagoras’ dissection proof, and I come to understand why $A^2 + B^2 = C^2$ is indeed necessarily true. I now know the Pythagorean theorem, but did you teach it to me? You helped, to be sure, but if I had not known without your help, Plato argues, your help could not have helped, as how could I have known, rather than merely believed, the provided proof as a proof? To know that the proof is a proof requires that I be able to see on my own how it proves what it proves – in this case, that I be able to generate through my own reasoning an account of why the Pythagorean theorem is true. But if I can do that, for what do I need you? You can, by providing me with information in a reliable-seeming enough manner – or subliminally planting information in my brain – cause me to have true beliefs. And you may well present me with an occasion, as Kant and Kierkegaard put it, for achieving knowledge. But in the end, the achievement is always and only mine.

In other words, knowledge in this sense is an irreducibly first-personal, subjective affair, which means that any one person’s knowledge can be related only indirectly to that of another. In Nagel’s language, when it comes to knowledge I can never simply give
you what I have. This is precisely why, for Kant, even God cannot provide us with moral
knowledge through an experience of revelation:

Now historical faith (which is based upon revelation as experience) has only
particular validity, namely for those in contact with the history on which the
faith rests, and, like all cognition based on experience, carries with it the
consciousness not that the object believed in must be so and not otherwise but
only that it is so; hence it carries at the same time consciousness of its
contingency.⁴³²

The fact that I have experienced a revelation indicating the truth of some proposition
(Kant here speaks of the proposition that God exists) cannot provide me with certain
knowledge of that proposition, since it cannot on its own bring me to generate
through my own reason an account of why that proposition need indeed be true – that
is, that I have enjoyed a revelation indicating the truth of that proposition cannot be
the only other difference between a world in which I do generate such an account
and one in which I do not. The efficacy of revelatory experience as knowledge-of-
God conferring presupposes the prior possession of that very knowledge through
autonomous means:

Even if God were to make an immediate appearance, I would still need rational
theology as a presupposition. For how am I to be certain that it is God himself

⁴³² Kant, Religion within the Boundaries of Mere Reason eds. Allen Wood and George di Giovanni (New
who has appeared to me, or only another powerful being? …Thus we can have no correct insight into the external revelation of God, and we can make no right use of it, until we have made a wholly rational theology our property.\textsuperscript{433}

The vicissitudes of rationality are such, then, that when it comes to first-personal knowledge and understanding, even God cannot simply give me what God has.

What God can do, however, exactly analogous to the relation of Socrates to the slave’s geometrical studies, is to facilitate – provide the impetus, opportunity, and resources for – my coming to know through my own reason the existence of God: “But on the other hand,” Kant continues, “an external divine revelation can be an occasion for man to come for the first time to pure concepts of God which are pure concepts of the understanding; and it can also give him the opportunity to search for these concepts.”\textsuperscript{434} Socrates famously calls this form of assistance “midwifery” – the midwife may at times prove critical, even necessary, for successful childbirth, but the child is never, cannot be, birthed by anyone but its mother.

Returning to my prophecy on the matter of manumission, it is now clear that indeed I cannot, even in principle, share with my fellow citizens my grounds for the proposed policy. If I want to respect their status as autonomous rational agents in promoting that policy, therefore, my only choice, rather than impose upon them my prophecy, is to facilitate their reception of prophecies of their own to the same impetus-toward-manumission-providing effect as my prophecy. Is this possible? It will depend, in the first place, on the precise relation between my prophetic experience and the

\textsuperscript{433} Kant, \textit{Lectures on Philosophical Theology}, 161.
\textsuperscript{434} Ibid.
knowledge it purportedly afforded me. Again, insofar as what I gained through my prophecy is merely an impression, however authoritative, of certain purported impersonal, objective facts – for instance, that God demands manumission, or that God is incensed and smiting-inclined over our society’s continued slaveholding – the merely experiential grounds of my acceptance of those propositions will leave their purported consequence, the imperative toward manumission, such as to be on those grounds reasonably doubtable by others and possibly even by myself. Another way to put this point is that even with my prophecy, even I do not really know in the relevant sense that we ought to free our slaves. It is as if a trusted friend assured me of the Pythagorean theorem and left it at that – I may well have gained a true belief, but I have not earned knowledge. It is no surprise, then, that I will be impotent in providing my fellow citizens what they would need to exercise their autonomous rationality in generating the conclusion I claim they ought to embrace, since I cannot do so either.

But there is another way the mechanics of my prophecy might have worked. In hearing God’s voice communicating his condemnation of my society’s slaveholding practices and the corresponding charge to end them, what I may hear, in addition to attestation to the impersonal facts ‘God condemns slavery’ and ‘God commands that we abolish it’, is the reality that God is deeply concerned about the persons enslaved and so is deeply concerned to end their enslavement, so deeply concerned that his voice is thundering forth like a lion’s roar (Amos 1:2). Where I might have failed to notice the tragedy, the sheer depth of unjustified human suffering that slavery is and involves, might have simply assumed it’s not so bad, that’s just how things are, or disregarded calls for
change because there’s nothing we can do, God sees slavery clearly for what it is, sees what must be done, and pours God’s pathos into a call to his prophet to see to it that it is.

Now suppose that I not only observe all this impersonally, but enter sympathetically, as it were, into the mind of God, seeing what God sees as God sees it. To the extent that I succeed in sharing God’s first-personal perspective on the matter, I understand the depth and structure of God’s concern, and I understand, let us suppose, that this is not simply an idiosyncratic, frivolously arbitrary obsession on God’s part – it is not a matter of mere inclination in the Kantian sense – but rather that God does seem to really care about it as something which matters objectively. What I will understand, then, and behold empathically from God’s perspective, is that the enslaved persons matter, and matter deeply, and so their enslavement matters and matters deeply. If my prophecy had concerned God’s ravenous thirst for child sacrifice, it is possible, I should hope, that having empathically inhabited that perspective, I would forcefully reject it as involving false assignations of value. But let us suppose that on the question of slavery I find that, while I may well not have come to it on my own, God’s way of seeing things really does seem like it could be right – enslaved persons really might matter that much, and it really might worth making all this fuss about their enslavement. God, on this model of the prophetic experience, plays the role of midwife, the birthed child being my own subjective, first-personal knowledge of the value of enslaved persons, knowledge of the unjustified suffering their enslavement inflicts, and knowledge of the urgent imperative to see them freed.

It remains that if pressed, I may not have much to say in rational, discursive, objective defense of these claims; what arguments I can offer will certainly not be equal
to the depth of my newfound conviction, and they may well not prove so convincing to
my fellow citizens that they would not be reasonable in rejecting them. What I can do,
however, is exhibit the depth of my own subjective, personal concern, catalyzed by and
coinciding with God’s, for the enslaved, and thereby exhibit the objective value of the
enslaved and so the disvalue of their enslavement. The prophet is, must be, not only a
messenger, but a witness: “His speech to the people,” Heschel says, “is not a
reminiscence, a report, a hearsay. The prophet not only conveys, he reveals.” To the
extent my fellow citizens can inhabit my perspective, then, they should and will, I judge,
come to see the truth of my claim: If they understand what I understand, see what I see as
I see it, they will understand and see that manumission cannot be reasonably be rejected.
If that is so, championing my prophetic claim is far from disrespecting their status as
autonomous rational agents. Just the opposite, in fact, as if I withhold my knowledge on
this matter I will be depriving them of the opportunity to make an informed rational
decision, and hence will be failing to conduct myself as I would were I to truly believe
that they are indeed autonomous rational agents.

For Stanley Cavell, it is among democracy’s most foundational lessons that “Any
may have to bear the burden of showing that a certainty of moral position may be based
merely on taste or opinion – not inevitably, but in a given case.” Inevitably, we will
from time to time encounter cases of injustice which the prevailing modes of reasonable
discourse, grounded in settled conviction, cannot recognize, discursively articulate, as
such. Against such surety mere arguments will not prevail: In a test of conviction against

435 Heschel, The Prophets, 2.
436 Stanley Cavell, Conditions Handsome and Unhandsome: The Constitution of Emersonian Perfectionism
bluntly opposed conviction, success in the democratic conversation of justice will require that we reveal the other’s conviction to the other as false, as a pretextual cypher for self-interested taste or opinion, in revealing ours as true, as authentically held – or vice versa. Conviction bests opposed conviction in conversation by better validating its claim to authenticity, that is, by better validating itself as true conviction. There is no shortcut around this path, but the path, I argue, is, can be, quite real. “The philosopher will naturally think that the other has to be argued out of his position, which is apt to seem hopeless,” Cavell says. “But suppose the issue is not win an argument (that may come late in the day) but to manifest for the other another way.”

Responding to a hypothetical interlocutor’s unadorned appeal to God’s will in justifying a political position, Richard Rorty imagines for himself and fellow atheists the retort, “Gee! I’m impressed. You must have a really deep, sincere faith.” Rorty is importantly not wrong to see purportedly deep and sincere faith as the public-facing side of a claim to revelatory knowledge of political import. Indeed it ought to be the depth and sincerity of her conviction, not her private experience of God’s word, through which the prophet first engages and seeks to persuade her audience. Importantly, this carries the implication that, from the perspective of her audience, there may well be no practical difference between an avowed prophet of the one true God and any citizen who through word and deed makes manifest a depth and sincerity of conviction commensurate with that which we would expect of a prophet of God. In either case the question is simply whether, having been confronted with their prophet’s depth of concern, the prophet’s audience is brought to understand and share the prophet’s concern. And as Soloveitchik’s

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437 Ibid.
arguments showed, there is likewise no functional difference between (1) an individual who understands themselves to be confronted with a divine command to eschew pragmatic calculation in judging a case of suffering unjust and so taking action to redress it, and (2) someone who understands themselves to have judged, without the benefit of scientific deduction from impersonal principles, that they must eschew pragmatic calculation in judging a case of suffering unjust and so taking action to redress it. In either case the question is simply whether they come to see that the suffering and oppressed matter, and matter objectively, independently of their or anyone’s whims.

What a liberal-democratic ethic of prophetic citizenship requires, therefore, is first and foremost that the prophet seek not to impose her own perspective upon her fellow citizens but rather to bring them to see what she sees. To do this is to not only transmit a message but to bear witness to a way the world is, and more specifically to way that certain inhabitants of the world matter. In bearing witness to this reality, the liberal-democratic prophet, without recourse to coercion, invites their fellow citizens to join them in their concern.

Far from a foreign and anachronistic imposition, this qualification of prophetic practice can be, and indeed has been, generated within the biblical tradition itself. We should recall in this context Soloveitchik’s emphatic insistence that prophecy “has very little in common with the mystical experience.”\textsuperscript{439} This is first and foremost a normative rather than a descriptive claim: Whatever perceptions of divine mysteries or attainments of

\textsuperscript{439} Soloveitchik, Lonely Man of Faith, 59.
divine intimacy individuals may achieve, sharing those achievements with others will always be at best imperfectly prophetic, since the prophet can never quite give their audience what they have. But it is a descriptive claim as well. Mystical visions and theosophic information make only infrequent, exceptional appearances in canonical biblical literature (the parallel chariot scenes in Isaiah 6 and Ezekiel 3 are examples), and the Bible is eager to stress that even the greatest of prophets, he who spoke to God face to face, could not see God’s face (Exodus 33:20). The prophet cannot give others what they themselves do not have. For Soloveitchik, therefore, in order to be properly prophetic, the prophetic message must be “crystallized and objectified in a normative ethico-moral message.”

It is through the shift from impersonal register of what is to the personal register of what we ought to do, translating the revelatory information into normative instruction, that prophecy becomes accountable: While we cannot all evaluate on our own the precise number of angelic visages featured on God’s heavenly throne, we can all evaluate on our own what we ought to do. Making prophecy accountable in this way thus also makes prophecy possible, as it is in this way that the prophet can give others what they have.

As noted in this chapter’s introduction, it is true that Moses’ prophetic practice would seem to directly transgress any notion of liberal-democratic legitimacy: Moses, on the basis of his privileged access to revelation, coercively imposes an entire political and legal regime upon the Israelite polity, employing violence as necessary to ensure compliance. The question, then, is whether Moses’s example is paradigmatic for, or so much as indicative of, prophecy more broadly. A strong case can be made that it is

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440 Ibid.
decisively not. After all, the Pentateuch itself is quite concerned to differentiate Moses’ mode and degree of prophecy from that of any other prophet, past or future. “Hear these My words” God says. “When a prophet of the Lord arises among you, I make Myself known to him in a vision, I speak with him in a dream. Not so with My servant Moses; he is trusted throughout My household. With him I speak mouth to mouth, plainly and not in riddles, and he beholds the likeness of the Lord” (Numbers 12:6-8). It is Moses, and only Moses, with whom God communicates “plainly.” And again, upon Moses’ death at the very end of Deuteronomy: “Never again did there arise in Israel a prophet like Moses—whom the Lord singled out, face to face, for the various signs and portents that the Lord sent him to display in the land of Egypt, against Pharaoh and all his courtiers and his whole country, and for all the great might and awesome power that Moses displayed before all Israel” (Deuteronomy 34:10-12). The Bible (and the Bible’s God) are thus concerned to make unequivocally clear the utterly inimitable, categorically superior quality of Mosaic prophecy.

Beyond the fact of Moses’ superior and privileged mode of prophetic attainment, moreover, the Bible is also concerned to show that people had proper epistemic grounds for accepting that fact. This is the force of the assertion that the “great might and awesome power” which Moses wielded were “displayed before all Israel.” Moses’ standing as God’s chosen emissary is established as a matter of public record. More intriguingly, the Bible seems to acknowledge explicitly that Moses’ superior prophetic standing required direct verification by every individual citizen, at least as regards the legitimacy of the law. In preparation for the giving of the law at Sinai, God instructs Moses that “Lo, I will come unto thee in a thick cloud, so that the people may hear when
I speak with thee, and may also believe in thee forever” (Exodus 19:9). What is required in order to establish Moses’ authority over others as a giver (and subsequently enforcer) of the law is not merely the fact that God spoke to Moses but the further fact that those others themselves witnessed that fact – it is on that basis that the people are to “believe in thee forever.” And so while the people were to be dependent on Moses for the content of the law – Moses was to enjoy the authority to instruct the people as to what God did and did not say – Moses’ prophecy was not in itself such as to grant him that authority in the first place. The ground of Moses’ prophetic authority, rather, had to be a further prophetic attainment enjoyed by each citizen on their own: It is the people, and not Moses, who on the basis of divine demonstration establish that God indeed spoke to Moses.

On the biblical picture, then, the employment of prophecy toward the coercive imposition of law requires two determinants: (1) The categorically superior clarity and directness characteristic of Mosaic prophecy – the prophet must after all be sure that they have correctly ascertained the law they are to impose – and (2) direct corroboration of (1) by the citizenry. The Bible is at pains to assert that the first will never again obtain, and never again does the Bible offer an instance of the second or, for that matter, offer another instance of lawgiving comparable to the Sinai episode. And while there are some intermediate figures – Samuel, for instance, still wields directly political power of a kind, and Elijah employs violent force in commanding loyalty to God – the classical “literary” prophets, figures like Amos and Jeremiah, are paradigmatically outsiders to the political powers-that-be. The prophet may enjoy access to the court and the ear of the king, but the dynamics of power are such that the king is unlikely to heed their message except and insofar as that message is what the king in any case wishes to hear, and where the king in
fact refuses, the prophet is powerless to effect a change of course. Powerless, that is, save for the force of their witness.

The Bible itself thus not only asserts the inapplicability of the Mosaic example as a model for prophecy general, but makes a more or less explicit case for that inapplicability, a case grounded in the epistemic and political requirements of legitimate lawgiving. Picking up on this internal prophetic logic, the Talmudic rabbis assert categorically that, “From now on [i.e., following Moses], no prophet may inaugurate anything new” (Bavli Shabbat 104a). If, therefore, I as a post-Mosaic prophet am to offer my fellow citizens anything, it will have to be something they already know – or can come to know on their own.

What does this shift entail for real-world prophetic practice? How, exactly, am I to non-coercively to bring others to see the world as I do? How, in Nagel’s terms, can I give my fellow citizens what I have? They are not mind readers, after all, and we have seen that simply telling them about it – communicating impersonal information – cannot on its own enable them to achieve the desired subjective state, as they will never be required by the canons of reasonability to afford my claim a level of credence comparable to my own conviction. Someone who fully understands both the what and why of the Pythagorean theorem cannot meaningfully doubt it, and so too, I believe, with my prophecy: anyone who sees what I have seen cannot meaningfully doubt it. But a fellow citizen whom I have merely informed regarding the third-personal facts of my prophecy will always be
able to meaningfully doubt the prophecy’s content, and so my informing them in this way cannot amount to their seeing what I have seen. My communication, if it is to succeed in enabling them to achieve the desired first-personal state of concern for the enslaved, will have to be indirect – maieutic.

What I can do is to serve, as in the quotation above, not as a messenger, but as a witness. Having seen the depth to which God cares about the enslaved, I have seen the depth to which the enslaved matter. What I hope to achieve, then, in sharing my prophetic message is structurally analogous: I aim to show my fellow citizens that the enslaved matter, and to do this I aim to show them first that I deeply care – that my soul is aflame with the fire of the Lord’s concern. Once again, it will not work to simply tell them this, as I may be lying, and I may be simply wrong – no one, let alone myself, knows directly the deepest contents of my soul. That is not to say that I could not through professing to care induce others – and myself – to believe that I care. People are perpetually credulous in this way and so vulnerable to the seductions of charm, self-confidence, brilliance, sheer assertiveness, and so on. The point, in the first place, is thus not that I cannot do this but rather that I should not. The problem is not only the first-order ethical one that in so doing I would be more or less deliberately short-circuiting the autonomous rational prerogatives of my fellow citizens, treating them as means rather than ends. Politically, moreover, in tempting others to take my self-professions as transparently expressive of my inner states, I entrench a social-scheme in which citizens are fundamentally unaccountable to each other, and so fundamentally irresponsible. As a liberal-democratic prophet, if I want my fellow citizens to trust me, I should want to earn their trust by offering them adequate grounds on which to rationally judge me trustworthy. And if I
want a better society, I should want a society in which no one’s claims addressed to their fellow citizens are accepted as transparently valid.

There is a deeper point as well. For what I, as liberal-democratic prophet, hope to convey to my fellow citizens is not simply that I care. I care about all sorts of things of no concern to anyone else. What I want my fellow citizens to see, rather, is that what I care about matters in itself, and so they should care about it as I do. What is it for something to matter in itself, rather than merely for an individual? To start, a table exists in itself only if and insofar as it can in principle be sensed from every angle and perspective. I, however, can at any given point in time only behold the table from one perspective. For me to say that the table is real, therefore, is for me to say that were I to shift perspectives – perhaps moving to the other side – I would still see the table, but see it differently: the synthesized total of these potential perspectives is the table. And it is to say that if someone else were to take either my own or another perspective on the table, they too would see the table. So too in the evaluative realm: To say that the enslaved, for instance, matter to me and so really matter is to say that anyone inhabiting my perspective on the enslaved would see that the enslaved matter. And it is to say that the way in which they matter is fundamentally open-ended; some may see it from this angle, some from that. If the suffering of the enslaved matters, the synthesis of every potential angle and perspective amounts to its mattering. It follows that, if I want to convey to others that the enslaved matter in themselves, I should want to encourage others to see this reality from their own perspectives and to judge for themselves. If and insofar as our judgments converge, that convergence will ground the judgment that the enslaved really do matter.

This is a major theme in Husserl.
Most fundamentally, if and insofar as the enslaved matter to me because they matter in themselves, I will be moved to take action, even at the expense of my own private interests, to redress their plight. And this, after all, is the point – to take action in bettering the lives of the suffering. Questions regarding my internal states – whether I feel passionately about the issue, whether I believe in the cause, whether I’m saddened by the plight of the suffering and jovial at the prospect of improving it – are effectively irrelevant, as it is entirely possible to feel saddened by something, for instance, and yet be in no way inclined to do anything about it. In any case, it is only insofar as I do in fact take action that my sadness is of meaning to the oppressed and those to whom they matter. To proclaim to others the depth of my feeling is thus at best missing the point and at worst actively subversive of the prophetic mission. Caring, however, is arguably different. While rooted in the psyche, caring is intrinsically ordered toward action in pursuit of the good of the cared-for object, which means that, all things being equal, for one to care and to make manifest that one cares should be functionally coextensive: To ascribe care for some X to an agent where that agent’s real-world conduct in no way does or would reflect care for X defies comprehension. In any case, it is again only insofar as I do in fact take action – and call others to action – that my caring is of meaning to the oppressed and those to whom they matter. The prophetic mission thus requires a turn inward – it emphatically cannot be a matter of merely impersonal information – but the inwardness in question must find realization in external action. In sum, the only

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442 To take a concrete example: Suppose I encounter a child drowning in a pod. It is conceivable that I would be both saddened by this and unmoved to act, whereas it would be at best baffling for me to care about it and yet unmoved to act.
legitimate medium of liberal-democratic prophecy, therefore, is manifestly concerned
action.

How can an observer tell if I really care? The extent of a person’s caring for some
object can be measured in terms of the degree of force it exercises over the person’s
conduct, where the degree of force is itself measured in terms of two interrelated factors:
(1) the counterfactual extent to which the person’s conduct is different, in the direction of
pursuit of the object’s good, from what it would be were the person not to care; and (2)
the degree of resistance which had to be overcome in achieving that difference.
Supposing we know that if Jerry were indifferent to Carrie he would walk zero miles to
fall down at her door, then if Jerry does walk five hundred miles to fall down at Carrie’s
doors we will know that Jerry cares about seeing Carrie. If instead he walks six hundred
miles then all things being equal we will know that he cares more than if he only walks
five hundred. If, however, the six-hundred-mile path is across twice-as-easy terrain, or,
importantly, if it is one Jerry may well have taken anyway, for whatever reason, then
Jerry’s trek provides us with considerably less assurance as to his caring. Finally, as an
intensification of the previous point, if walking five or six hundred miles to fall down at
Carrie’s door represents some substantial promise of gain for Jerry, independent of Carrie
and his relationship to her, then the walk will in itself tell us still less as to whether Jerry
truly cares.

It can be quite good to be a prophet, for those who play their cards right. There
are always people looking for something to believe, and willing to reward handsomely
the messenger who will give them what they were hoping to hear. And for those with the
talent and verve to graduate beyond transmuting working-class hopes into small cash,
there are in any society’s halls of power worlds of opportunity awaiting the charismatic, well-connected prophet of that society’s status quo. In the Bible there are true and false prophets, and it is no accident that the false are always aligned with the powers that be:

“Thus said the Lord of Hosts: Do not listen to the words of the prophets who prophesy to you. They are deluding you, the prophecies they speak are from their own minds, not from the mouth of the Lord. They declare to men who despise Me: The Lord has said: “All shall be well with you”; and to all who follow their willful hearts they say: “No evil shall befall you” (Jeremiah 23:16-17).

Suppose we encountered one of these prophets against whom Jeremiah rails in the context of liberal democratic deliberation on the question of manumission. They claim the measure is unnecessary: All shall be well with you, they say, for the Lord hath spoken – a civic performance earning them, let us imagine, an enthused retweet by the president himself. Leaving aside an evidential evaluation of their objective, third-personal claims regarding their having communed with the Lord, it is likely that we will have little reason in this case to judge that the prophet is true in the first-personal sense of genuinely caring, to the degree being possessed by God’s word would indicate, about what they claim to be care about. Since they simply have too much to gain and too little to lose, their conduct is quite perfectly consistent with their not caring at all.

Jeremiah does not say only that in such cases the purported prophets are for all we know not true, but affirms the further, positive conclusion that the prophecies they speak
are indeed from their own minds. If and where prophecy cannot depend for authentication on appeal to objective evidence, and so must rely instead on the degree to which the personal concern and conviction of the candidate for prophetic status is made manifest – where the prophet must serve as witness, rather than messenger – then one who does not make their concern and conviction manifest, whatever the reason, is under current conditions *de facto* not a prophet. They are at best latent, hypothetical prophets, awaiting the dusk in which their candle may shine. If they do nonetheless proclaim a prophetic message, it follows, Jeremiah reasons, that they proclaim as prophetic what is not prophetic, and so that they are false prophets speaking falsehoods. To be sure, it is not as if it would be logically incoherent for God to command a humble servant to communicate the day’s prevailing ideology qua God’s word. But the charge would represent a pragmatic impossibility, as prophecy is a success term in this sense: Unlike the mere uttering of words, a prophecy unheard is not a prophecy at all. All the more so if it cannot be heard.

For Jeremiah, then, the true prophet’s message is necessarily in violent opposition to the status quo:

But he who has stood in the council of the Lord, and seen, and heard His word — he who has listened to His word must obey. Lo, the storm of the Lord goes forth in fury, a whirling storm, it shall whirl down upon the heads of the wicked. The anger of the Lord shall not turn back till it has fulfilled and completed His purposes. In the days to come You shall clearly perceive it.
True prophets, they who can truly, meaningfully claim to have stood in the council of the Lord, tell the powerful what they do not want to hear. On Jeremiah’s view, this is paradigmatically the case for the prophet who undermines the legitimacy of the powers that be in railing against their infelicities. True prophets maximally threaten the status quo, which means that true prophets are, as a rule, persecuted with maximal severity. A solitary life on the run, the vicious scorn of the very countrymen one has sacrificed themselves to save, and the perpetual threat of violence as recompense for their words is the lot of the prophet, a lot which is both the consequence and the presupposition of effective prophecy: Prophecy is recognizable as such only insofar as its practice is recognizably inconsistent, on account of the sacrifices it involves, with the prophet’s denial of or indifference toward the objective value the prophecy purportedly promotes – only insofar as no one in their right mind would lead such a life unless they truly and fully recognized and embraced its object. As Kierkegaard puts it, “When…the individual is the true extraordinarius and really has a new starting point” – when the truth one bears is truly from above, originating beyond the order of natural human knowledge – “he must be unconditionally recognized for the fact that he is willing to make sacrifices.”443

Confronted with a prophecy from such a sacrifice-ready prophet, one must either judge the prophet a fraud, acknowledge the prophet’s subjective authenticity but reject the objectivity of their claim, or come to see what they see. It is not an accident that word ‘martyr’ comes from the Greek μάρτυς, meaning “witness.”

Kierkegaard radicalizes this line of argument, reasoning that possession of a revelatory truth of import to others is inconsistent with holding any position whatsoever

within society’s structures of established power, full stop. If I am beholden to worldly power, in what I say and do, I will inevitably compromise in shaping my conduct so as to communicate that revelatory truth. Revelatory truth, however, much (exactly) like Kant’s categorical imperative, is inherently the sort of thing about which there can be no compromise – compromising in regard to honoring the absolute is inconsistent with honoring it at all. For Kierkegaard, to counsel strategic patience, so much as provisionally moderating one’s message in concession to pragmatism, is to nullify the message itself, submerging a transcendent concern in the muck of mundane calculation. Likewise with any use of worldly power, or even so much as beguiling rhetoric, by the would-be prophet: A true prophet should be comprehensively, proactively averse to achieving social purchase for their prophetic message by any means other than the power of their witness itself. Insofar as they are acting as prophets, their purpose is to share their sharing-of-concern-with-God with others. Insofar, therefore, as they employ force, mundane incentive, or truth-perception-interfering charm they not only do not achieve their end but actively subvert it: A truly concerned prophet truly seeking to inspire true concern in others would not resort to such means, and so one who does will fail to be recognizable as a truly concerned prophet, failing thereby in witnessing to the objective value of the object of their purported concern. An individual commanded by God to effect change in society who, whether on their own judgment or on further divine instruction, seeks to do so by way of violence may well fulfill God’s command in effecting change, but they will not succeed in doing so as prophets of God’s word – they will be, objectively speaking, indistinguishable from mundane oppressors and rights-violators, and so justly regarded as such by those they seek to influence.
Kierkegaard notes a further reason why those authentically bearing revelatory truths would zealously renounce any form of political power, any route to enacting God’s will short of persuading enough fully autonomous rational subjects to do so: the sheer terror of being wrong:

He [the “extraordinarius” granted revelation] has the terrible responsibility of the special individual for every step he takes, whether he now is following his order accurately in the smallest details, whether definitely, alone, and obediently he has heard God’s voice – the dreadful responsibility in case he heard or had heard amiss. Precisely for this reason must he wish for himself all possible opposition from without, wish that the established order might have power to make his life a tentamen rigorosum, for this trial and its pain is yet nothing compared with the terror of responsibility, if he were or had been in error! In case, for example, a son should feel called to introduce a new view of domestic life…would he not then, if there was truth in him, wish precisely that the father would might be the strong one who could encounter him with the full power of parental authority? For the son would not so much fear to get the worst of it, if he was in the wrong, so that humbled but saved he must return to the old ways, as he would shudder at the horror of being victorious if he were in the wrong.444

The prophet finds themselves with a conviction, as yet unshared by their fellow citizens, to the effect that their society ought to be significantly transformed. A significant societal

444 Kierkegaard, *The Book on Adler*, 144.
transformation will entail significant costs for the society’s persons; imposing those costs without adequate justification constitutes violence against those persons. Insofar as the prophet lacks impersonally objective justification for their view, therefore, they will be, and certainly should be, averse to imposing their view on others. It is one thing to veer off course on one’s own; it is quite another to drag others down as well. Resignation is likewise unacceptable, however, as the prophet is after all sure that their society must change. The resolution recommended by Kierkegaard’s reasoning is for the conscientious prophet to ensure that the responsibility for their society’s transformation is not theirs alone – that the costs for others entailed by that transformation are not imposed upon but rather freely assumed by those others. The prophet does this by refusing, and making clear that they refuse, any form of worldly force or manipulation, such that it is the prophetic call alone that wins their fellow citizens’ hearts, if their fellow citizens’ hearts are to be won.

Returning to my earlier example, to the extent that I manifestly, willingly accept suffering and sacrifice, forgo all advantage, profit, or shortcut, in communicating to my fellow citizens my empathetic recognition and sharing of God’s concern for the enslaved, to that extent I can succeed in offering them access to God’s concernful view of the enslaved, and to that extent I can call them to care, and take responsibility, for the enslaved. This activity will not be polite toward my fellow citizens. It will in fact by design be maximally, personally offensive, as it is intended as nothing other than a direct indictment of their conduct from a position of self-professed authority, as an apostle of God, over them and their affairs.445 Now, to the extent that I make manifest, through

445 The discursive role and sense of ‘offense’ here it taken from Kierkegaard. See for example Training in Christianity.
vulnerability and sacrifice, the depth of my conviction, it will be to a corresponding
degree difficult for them to simply ignore my indictment. If they to some degree cannot
evade it, they will find themselves to that degree compelled to either accept my claim and
join me in concern for the enslaved, or else to reject my claim and end the offense by
securing my silence otherwise than through rational deliberation. The point of the
impoliteness between citizens is precisely to facilitate, and force, this choice, one way or
the other.

But impoliteness is not, of course, disrespect, and the very mechanics of
prophecy, we have seen, require that I make manifest my recognition of their autonomous
rational agency and commitment to partnership with them as such. It is because I aim for
them to know God’s word as God’s word – for them to achieve first-person knowledge
of God’s word – that I must serve as witness rather than messenger, and it is because I
must serve as witness to self-transcending concern for a bearer of objective value that I
must make manifest that concern in making manifest my willing assumption of cost and
forgoing of any position or means through which I would stand to gain through my
purported witness. I cannot, then, so much as suggest in my prophetic advocacy that I
might support the enactment of coercive legislation prior to adequate persuasion of the
relevant parties; in fact, I must make performatively clear that I would not, as to do so
would undermine my prophetic purpose. Likewise, I must not, and must make
performatively clear that I would not, employ means of manipulation that would subvert
the rational autonomy of my fellow citizens. If I am to show my fellow citizens that the
enslaved matter in themselves and so demand their concern, I must show my fellow
citizens that my concern is to win not their concurrence or submission but precisely their
concern. Which is to say that I must show my fellow citizens that I respect them as citizens and care about their citizenship – I must show them that their participation, as autonomously rational deliberative agents, in the liberal democratic matters to me, and matters to me because it matters.

It emerges that liberal-democratic prophecy in any cause must always include and follow upon prophetic practice in the cause of liberal democracy. This, I argue, is what Rawls called “civic friendship.” If I am going to bring my fellow citizens to hear God’s word, I must make affirmatively clear that my motive is none other than to realize the value inherent in their valuing what God has shown me is truly valuable. This motive presupposes honoring my fellow citizens’ standing as members of the community of valuers, and is itself aimed at nothing other than the flourishing of that community in actuality. The real-life practice of prophecy requires the real-life practice of friendship. Intriguingly, it is exactly this kind of imperative, “the duty of civility,” which governs Rawls’ evolving reflections on the requirements of public reason. For Rawls, this duty does entail that, all things being equal, one should not promote political proposals on religious grounds. But while he entertains, admits a nearly conclusive inclination toward, and acknowledges that much of his presentation would seem to endorse the “exclusive” view that such reasons should never be advanced in public deliberation, he ultimately affirms the “inclusive” view on which citizens may “in certain situations” offer such

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446 Rawls, Political Liberalism, 253.
447 Ibid, 217.
reasons, “provided they do this in ways that strengthen the ideal of public reason itself.”

Where a society is not yet fully well-ordered under the principles of political liberalism and so religiously grounded appeals remain pragmatically necessary for winning some needed social change, for instance, it is, Rawls says, reasonable to engage in those appeals so long as it is – and to the extent possible, is clearly – for the sake of eventually realizing the ideals of public reason. Even in a well-ordered society, where there are conflicts in which religious interests are at stake (whether the state should fund religious parochial schools is Rawls’ example) each side may come to doubt the other’s sincerity in their commitment to public reason: one side’s arguing on apparently reasonable grounds that liberal democracy does not preclude state-funding of religious schools, for instance, may be at least as well explained by those on that side’s commitment to their religious beliefs, or, I would add, to their desire for wealth and power, as by their commitment to political liberalism. The deficiency here lies not in any transgression or failure of rectitude per se, but rather in the need, presupposed by the practice of political liberalism, for a positive demonstrative praxis of civic friendship. Being a good friend requires, all things being equal, being recognizable to one’s friend as a good friend. And so in such cases, Rawls observes, it may in fact best advance the cause of public reason itself for a group to make explicit its religious beliefs and the precise ways they believe those beliefs can ultimately be seen to in fact support their society’s shared political values. This is not simply a matter of enhancing the “background culture” – there Rawls holds religious reasons are always presumptively

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448 Idem, 247.
449 Idem, 251.
appropriate. This is rather a properly political act suitable for the public forum, as it helps clarify that the parties to the debate are authentically committed to the project of civic friendship, and this knowledge “surely strengthens mutual trust and public confidence” and can play a vital role in “encouraging citizens to honor the ideal of public reason.”

The fundamentally expressive, performative praxis of civic friendship is not only presupposed by but is itself an intrinsic part of public reason.

In “The Idea of Public Reason Revisited,” published four years after the above quoted material from *Political Liberalism*, Rawls streamlines the situational exceptions he had allowed into a unified, universally applicable model: Religious doctrines, he says, “may be introduced in public political discussion at any time, provided that in due course proper political reasons…are presented that are sufficient to support whatever the comprehensive doctrines introduced are said to support.”

It is precisely through clearly and decisively embracing this proviso as a constraint on their public advocacy that citizens can see to it that, even as they then promote religious views – precisely in their promoting religious views – their “commitment to constitutional democracy is publicly manifested.”

In addition to this mode of allowance for religious doctrines within the course of deliberative justification, Rawls notes the legitimacy of “declaration,” where citizens state their religious doctrines and explain how public political principles are supported by them, and “conjecture,” where citizens, taking care to both be and appear sincere, seek to show that others’ religious doctrines can be seen to support public

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450 Idem, 249.
452 Idem, 462
political principles. At this point, in a little-noticed, uncharacteristically discursive footnote, Rawls adds another form of discourse he calls “witnessing”:

It typically occurs in an ideal, politically well-ordered, and fully just society in which all votes are the result of citizen’s voting in accordance with their most reasonable conception of political justice. Nevertheless, it may happen that some citizens feel they must express their principled dissent from existing institutions, policies, or enacted legislation. I assume that Quakers accept constitutional democracy and abide by its legitimate law, yet at the same time might reasonably express the religious basis of their pacifism…Yet witnessing differs from civil disobedience in that it does not appeal to principles and values of a (liberal) political conception of justice. While on the whole these citizens endorse reasonable political conceptions of justice supporting a constitutional democratic society, in this case they nevertheless feel they must not only let other citizens know the deep basis of their strong opposition but must also bear witness to their faith by doing so. At the same time, those bearing witness accept the idea of public reason. While they may think the outcome of a vote on which all reasonable citizens have conscientiously followed public reason to be incorrect or not true, they nevertheless recognize it as legitimate law and accept the obligation not to violate it.

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453 Idem, 465-466.
454 Idem, 466, fn. 57.
One might get the impression that in the picture Rawls paints, the Quakers are, given the reasonable, constitutionally sanctioned consensus of their society, effectively uninterested in reshaping society in accordance with their own views, resigned to their pacifism’s indefinite consignment to background-culture status. But even on Rawls’ own terms, this need not, and with respect to actual Quakers presumably would not, be true: Chief among the reasons why they “feel they must not only let other citizens know the deep basis of their strong opposition but must also bear witness to their faith by doing so” may well be that through bearing witness to their faith they hope to persuade their fellow citizens, to bring them to see and accept a scheme of value on which any and all forms of violence are in violation of the duties of love each owes to all.

Should they fail to so persuade their fellow citizens, then, as Rawls emphasizes, they will continue to respect, and make clear that they respect, their fellow citizens as fellow citizens in respecting the law of the land as politically legitimate despite the sacrifice this entails for them. As powerfully as they dissent from the presently prevailing majority, they so deeply value their fellow citizens that they are prepared to accept the at-least temporary negation of what they are sure is right for the sake of continued democratic union. “Trustworthiness,” Danielle Allen argues (in exposition of Hobbes), “is primarily a willingness to sacrifice some of one’ own power for the sake of common agreement.” And it is in enacting bonds of trust, Allen argues, that we make the machinery of democracy possible. “A core citizenly responsibility is to prove oneself trustworthy to fellow citizens.” This is because

455 Danielle Allen, Talking to Strangers, 93.
456 Idem, xxii.
The real project of democracy is neither to perfect agreement not to find some proxy for it, but to maximize agreement while also attending to its dissonant remainders: disagreement, disappointment, resentment, and all the other byproducts of political loss. A full democratic politics should seek not only agreement but also the democratic treatment of continued disagreement.457

For Allen, the problem with rationalistic theories of liberal democracy, often oriented toward an ideal of rational consensus, is not that they are wrong per se, but that they at best ignore the political practices the real-life pursuit of something like rational consensus would require. Engaging in democratic deliberation entails vulnerability – one must commit to employing no force other than the force of the better argument, as Habermas puts it, and so one is left without what may be their best tools for securing what they need and want. If you and I are going to engage in actual democratic deliberation together, therefore, we each need to know that the other really is committed to the project of democratic deliberation and so will present their views honestly, will refrain from manipulation even when advantageous to them, and will in the end abide the results of the better argument even against their own interests. There is no way to guarantee this knowledge in advance, and it certainly cannot be achieved simply by stipulating the conditions of rational deliberation. What it requires, rather, is that I make myself vulnerable to you, and you to me; that I exhibit sacrifice on your behalf, and you on mine. What Rawls’ Quakers achieve is thus multivalent: They bear witness to their own trustworthiness and friendship, to their commitment to the project of liberal-democratic

457 Idem, 63.
deliberation; and, precisely on that ground, they succeed in bearing witness to the
cogency of their pacific vision. They call their fellow citizens to both the practice of
pacifism and to the practice of democracy.

Rawls himself is widely criticized for imposing unduly rigid restrictions on
religious advocacy in the public square, for unfairly requiring that religious citizens
schizophrenically repress their full identities to comply with the proposed secularist
regime’s policing of appropriate public speech. That this characterization is inapt is clear
already from Rawls’ repeated insistence that what he is arguing for is a moral, not a legal,
duty of civility addressed to individual citizens – any enforcement of or so much as non-
deliberative pressure toward compliance with this duty would clearly violate Rawls’
principles – and that it is always only an ideal to be approximated while allowing for
considerable pragmatic flexibility along the way. If I aim to persuade my fellow citizens
on some point, it is not that they should impose constraints on the way in which I do so or
that our political culture ought to be shaped such that I find myself constrained under
tacit threat of censure, but simply that respecting my fellow citizens should be among the
ends of practical deliberation. And in fact Rawls does allow for, even encourages,
religious citizens to bear public witness to their faith, and while he may not himself quite
see the potential for religious witnessing to reasonably persuade on political questions,
there is certainly nothing in his thinking which rules it out. All Rawls’ political liberalism
demands of the prophetic citizen is that she make manifest her commitment to refrain
from imposing coercive policies on her fellow citizens which they do not – perhaps do
not yet – find reasonable.
But this is nothing more than the restraint which political liberalism demands of *everyone*, regardless of their particular convictions or communicative style, and the imperative to make one’s commitment to that restraint clear to – to manifest civic friendship toward – one’s fellow citizens likewise applies across the board. The forms in which this imperative is best met will, as we saw above, by nature change according to the character of the parties involved, the question at issue, the historical moment, and so on, and it may well be that those electing prophetic advocacy as their mode of civic engagement will often need to do more than others to demonstrate their respect for their fellow citizens as autonomous rational agents; beginning sentences with “So sayeth the Lord” can raise reasonable questions as to whether that respect obtains, questions which the duty of civility will require that one reasonably answer. But there are reasonable answers one can give, and to the extent one indeed hopes to practice prophetic witness rather than to seek domination through prophetic rhetoric, those are answers one will give eagerly.

The content of prophecy, as I have modelled it, is a personally addressed call to, a holding to account of, others for making real the responsibility of each person for all persons. Persons matter, and so we all have a responsibility to care for, and to care that others care for, their wellbeing. It is thus no coincidence that the respective practices of prophecy and public reason converge – they are both predicated on, and functions of, the claim that persons matter and so must be respected and cared about. A critical implication of this definition is that wherever there is tension between the demands of a particular
prophetic vision and the core animating principle of respect for persons, it will be respect for persons which controls. It is thus always more important that the prophet achieve relations of mutual responsibility than that they secure any given societal outcome, and while these two ends will hopefully converge, they often, at least in the short term, will not. In addition to patience and humility, this will require flexibility and adaptability on the part of the prophet – even as they insist without compromise on achieving justice, their vision of achieved justice must not be the only vision they allow.

This is in part a matter of respecting the rational autonomy of one’s fellow citizens and so their prerogative to pursue justice as they see it. But is also a consequence of the fundamentally open-ended character of responsibility itself: Just as there is not, and cannot be, a fixed formula for fulfilling my responsibility to my son, there is not and cannot be a fixed formula for fulfilling our responsibility to secure justice for all. The work, moreover, is never finished, and what the work requires tomorrow may not be what it requires today. It is precisely this mode of infinite, open-ended responsibility to which the prophet aims to bear witness and thereby to win new devotees. It follows that while the prophet will always properly hold others to account for their shortcomings in securing societal justice, and while the prophet can always properly offer specific policy prescription, it will never be legitimate for the prophet to hold others to account for their refusal to adopt their policy prescription in particular. After Moses, the Talmudic rabbis insist, prophets are never authoritative lawgivers.

This principle’s more fundamental corollary is that the prophet can and must critique and demand the improvement of every existing system of law. Wherever there are those who say that society need not be improved, it is the prophet’s mission to insist
that it must be, for no society lacks individuals suffering under injustice, and so in no society have we fulfilled our responsibilities to those individuals. Where there are those who say that, whatever injustice there may be, they themselves have violated no law and so owe no compensation, it is the prophet’s mission to insist that there is no system of law compliance with which can exhaust the responsibility each of us always bears for all of us. And where there are those who say that our society cannot be made more just because the law – the entire complex of our fixed societal structures, institutions, and practices – will not allow it, it is the prophet’s mission to insist that we find a way, and if need be that we change the law. Most basically, where there are those who say that we cannot make society more just because we ought to be realistic, strategic, and calculating – we ought to reconcile ourselves to the world and its ways – it is the prophet’s mission to insist that we have responsibilities that transcend the merely pragmatic. The prophet helps us to see, and demands that we acknowledge, that there is more to the normative universe than the pragmatic, more than the law, more than the powers that be would have us believe. There is, beyond all that, the realm of infinite, open-ended interpersonal responsibility – what I have called prophetic normativity. And the prophet helps us to see, and demands that we acknowledge, that we all can and must make our home in that realm.

This, Vincent Lloyd argues, is both the content and form of democratic, as opposed to authoritarian, charisma. “Authoritarian charisma,” he writes, “appears to transcend the world but actually embodies the world, strengthening the hold that the ways of the world have on us and strengthening the social hierarchies they reinforce.”

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clan elder, the populist demagogue, the high-school football star, the mercurial professor – these figures exceed the ordinary and worldly, but do so precisely as functions of the ordinary, given world. They more or less perfectly embody the desires we, culturally situated amidst the worldly pressures and powers that be as we are, already have, reassuring us that the way things are is the way things ought to be. Authoritarian charisma “mutes critical capacities and defers to an authority to provide direction. That specific authority stands in for all authority: for the powers that be.” Democratic charisma, by contrast, upsets and challenges our settled understandings of the world, calling us to new desires by acting against the grain of our expectations for each other and ourselves. Through their manifest willingness, against the dictates of pragmatic/strategic calculation, to sacrifice their own interests for higher purposes, the bearer of democratic charisma shows us that we are always free to be better and more than we presently think:

When we are disposed to act in ways that set aside worldly prerogatives, that set aside the way the world would have us perceive it, we appear charismatic. The observer sees in us something unexpected, something that cannot be classified in familiar terms…It is our capacity to act as more than machines that pursue quantifiable interests in rational ways.460

The bearer of democratic charisma performs the reality that they are always more and other than they appear in any given now – what we see in seeing their surface is that there

459 Idem.
460 Idem, 53.
is always more to them than their surface. Thus, rather than sanctifying the specific personae they are, their charisma points beyond them as individuals to the sanctity of their humanity as such. Those confronting the democratically charismatic individual are transformed by

recognizing the inadequacy of representation, that is, by realizing that the way they understand the world does not quite work, and further that no attempt to fully grasp the world will quite work. Witnesses see how the charismatic figure does not match expectations, thwarting the mechanics of concepts and intuitions and so soliciting reflection by the witness on herself, on how she also is more than the world thinks she is, how she cannot even understand herself. Inwardness is contagious and charisma is the pathogen.⁴⁶¹

We are all capable of inwardness, of a fundamentally open-oriented and critical orientation to who we are and what we ought to do, but we are all perpetually tempted by the comforting stability of simple self-identity, of simply being who and what we happen to presently be, doing what we happen to presently be doing. Democratic charisma confronts us with the inadequacy of our present concepts and so with our failure of responsibility – our failure in being human, free persons rather than mechanical things.

Democratic charisma thus makes essential reference to a kind of absolute, a being beyond all worldly beings. Courting a relationship with the absolute is

⁴⁶¹ Idem, 48.
dangerous, as it threatens to dissolve all constraints, barriers, and difference, fashioning a world in which there can and must be only one man, not men, to reverse Arendt’s phrase. The danger, as Soloveitchik saw, lies where our relation to the absolute is direct, unmediated, and thus wholly subjective and personal. This is the threat represented by authoritarian charisma: the authoritarian charismatic draws us to see them as the absolute incarnate – they, unlike the masses, are real individuals, are authentic, are embodiments of the exceptional and transcendent. They are as such beyond critical accountability on any objective grounds – we are to be simply either for or against them. To be against them is to be an apostate deserving of excision, and to be for them is to join the ranks of the Good in the war against the Bad, and so to join the charismatic in defying accountability. “The fantasy of absolute presence, of direct access to another person or to the world,” Lloyd says, “is essentially undemocratic, essentially authoritarian.”

We cannot simply do without the absolute, however. If there is nothing beyond this world, no way-of-being beyond the way the world is, then our world is as it must be, and we are as we must be. But that is to say that we have no reason, can make no sense of, bettering our world and ourselves, and this is a conclusion we have a responsibility to refuse. What is needed, then, is a relation to the absolute which is always, essentially mediated. “The path to the Absolute,” Soloveitchik insists, “leads through concrete reality.”

By frustrating our expectations of her in challenging the ways of the world – and so in challenging us and our ways of being in the world – the bearer of democratic charisma directs us to a presence which we

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462 Idem, 59-60.
463 Soloveitchik, Halakhic Mind, 45.
see through her witness and yet is not, can never be, simply her. What we see, indirectly, is not a god we comprehend but that God who transcends all positive attributes and attempts at conceptualization – and the humanity created in that God’s image. And because it is not her alone that we see, but the humanity to which she indirectly bears witness, we are brought to see that we too are human persons, created in God’s image and so always beyond any fixed, worldly characterization.

“Authoritarian charisma generates followers, awaiting more and more fulfillment from the charismatic leader; democratic charisma is contagious, creating more and more charismatic individuals, individuals who understand that they are not who they have been represented to be.”464 Where democratic charisma succeeds, the result is realized plurality and difference: God is not the charismatic, and the charismatic calls forth fellow charismatics who stand apart precisely on the ground of their shared godly humanity.

On my model, the liberal-democratic prophet is thus a specialized purveyor of democratic charisma: what they confront us with is not simply our representation-defying humanity, but more specifically its issue in our infinite, open-ended, irreducibly interpersonal responsibility. In making manifest their concern for the oppressed in willingly accepting cost, risk, and sacrifice in the cause of justice, they confront us with the reality that people matter – matter enough that we are called to ourselves willingly accept cost, risk, and sacrifice in seeking to redress the injustice under which they suffer. We are called to reach beyond every given system of law and beyond the given rationality of the powers that be in recognizing, and making

464 Lloyd, 71.
real, the humanity we share with both oppressor and oppressed. If and insofar as we heed the prophet’s call, we ourselves become prophets just the same. Democracy is both prophecy’s premise and its end.
Works Cited:


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