

## MORAL RESPONSIBILITY UNDER TOTALITARIAN DICTATORSHIPS

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## I

We will speak about moral responsibility and not about political responsibility, and about totalitarian and not just about any form of dictatorship or tyranny. To be clear about the subject, let me just define, in a preliminary way, the differences between moral and political responsibility on one side, and between totalitarian and other forms of tyranny on the other. For the question is: is there something like moral responsibility (not just political) still extant under totalitarianism? This question came up after the war in the war crimes trials. All these trials were based on the assumption that there were moral alternatives in the midst of political disaster and that conscience continued to function as before.

1. All tyrannies deprive their citizens of power, condemn them to impotence, and hence take away all possibilities of organizing themselves: the atomization of the body politic through the dissolution of the guarantees of equality, and hence the mass support for the suppression of all intermediary powers. Monarchy relies on distinctness, not by any mass support, but from the outside. The tyrannies expel men from the realm of the political and tell them to go and take care of their private matters only. Whatever concerns all of them, the common-wealth, will be taken care of only by One man and his advisors. The tyrannies are not total or totalitarian because they respect, to an extent, the private sphere, and the citizens, except in case of emergency, are not involved in the possible crimes. They don't participate.

Totalitarian tyranny is "democratic": the citizens are deprived of all power, they are carefully atomized, but they constantly appear in public. Their private life is by no means respected. On the contrary: privacy no longer exists and they are implicated directly in all crimes. These crimes are not just committed in their name, but they themselves are asked to commit them. Hence, they act, but without any initiative. They follow the leader, and their only virtue is obedience. They are participants, and this they never were in classic tyranny. This is the reason why they could be held criminally (and morally) responsible and why they could say, on the other hand: a) I did not do what I wanted to do, I had no bad motives (nor good ones either), I am entirely motiveless; and b) if I had not done it, somebody else would have, so it did not matter. To put it differently: all citizens had become cogs. (No Nazi could be found after the debacle, no Stalinist can be found in Russia). Seemingly, the distinction between ruler and ruled has been obliterated – hence the difficulty of "liberating" them.

2. This is the setting, and the question is: is there still moral responsibility left, and what are its criteria? Political responsibility is out of the question once the totalitarian dictatorship is established, because there is no power left. If you take as the model of moral responsibility the Socratic proposition "it is better to suffer wrong than to do wrong", then the answer from the political side would be: "suffering and doing wrong are both equally bad, for there should be no wrong". In other words, the emphasis lies entirely on the world and not on the self. "The world is out of joint", but not your self. In moral matters, on the contrary, you are concerned with your self – that is the meaning of *con-science*. Politically, it is almost as wrong not to resist evil as it is to do it. But to resist evil, you may be forced to do evil. This tension between the political and the moral spheres is inevitable. The early Christians knew it quite well. They were engaged in doing good, and hence decided that they would shun the public realm and remain in the seclusion of the private (Tertullian, the Gospels). Machiavelli still knew this quite well: "how not to be good" – that is, not how to be

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bad (evil deeds may bring power but not glory, and glory is the ultimate goal of Machiavellian politics), but how not to apply this criterion.

In this political sense, all people who live under a totalitarian dictatorship become guilty. Jaspers stated that “*Dass wir leben ist unsere Schuld*” (That we are alive is our guilt). Namely: even those of us who did not participate did not resist. Resistance would have been suicide, and, more importantly, it would have been without effect. This is political responsibility, and it means that you have a share by simply belonging to the group in whose name evil is being done. Napoleon, when he became the ruler of France, said at once: “I assume responsibility for everything France has done from the times of Charlemagne to the terror of Robespierre”. But this did not mean: “I am guilty of what has been done”. The responsibility lies on me because I am the representative of the body politic. In this sense, we are indeed held responsible for the sins of our fathers – Germany, the Negroes – but we are not guilty of them.

## II

Let us underline the distinction between responsibility and guilt: you may be politically responsible without any guilt. For guilt, it is necessary that you have done something, and even the sin of omission still implies that you could have acted and therefore your abstention is a kind of acting, only in another mode, just as silence can be a mode of speaking. To say “I am guilty of what others did”, this feeling of guilt without deed, is sentimentality and dangerous nonsense. Those Germans who declared after the war “we are all guilty” actually made it impossible to find who was guilty of something specific. Where all are guilty, no one is, practically speaking. This sentimentality was a very effective cover for the criminals. Had the Germans said “we are responsible”, they would have found out those who actually were guilty and punished them (Example: the Auschwitz Trial – there were actual criminals on trial, not just desk criminals, and public opinion was clearly on their side). And they would have found out differences in guilt under certain circumstances: guilty for obeying orders and guilty of their own initiative – for doing, for instance, what even in this state was not permitted. Before we proceed: you may be politically responsible without any guilt; conversely, by not being guilty you did not act with political responsibility.

Let us consider the nature of the crimes as they appeared in the courtrooms. The crimes of which people who had lived under totalitarian rule were accused were of two altogether different orders: either they were “acts of state” – the Final solution was an act of state, entirely legal in Nazi Germany – or, as in the Auschwitz Trial, individual criminal acts that were criminal under all circumstances. No moral problem is involved in the latter. We are concerned only with the former. Acts of state is an old concept, and it means that: 1. the state may be forced to commit acts which, if done by an individual, would be criminal, acts which are clearly against the moral order; 2. and that such acts are outside all jurisdiction, because no other state has the right to sit them in judgment. Each state is sovereign, and this means that it obeys no other law and is subject to no judge outside itself. Behind this stands the theory of a special “reason of state” (*raison d'état*) which says: “if the survival of the state is at stake – that is, also the survival of the legal and moral order –, the state may do certain unlawful things in order to keep this legal order in existence”. It does not mean the abolition of the legal order, but, on the contrary, its existence. That is, the state or its servants commit certain moral crimes out of political responsibility. They risk, to speak Machiavelli's language, the salvation of their souls for the sake of the secular lawful order. Those who do not do so are accused of shunning political responsibility. They are acting irresponsibly. Hence, those who are morally guiltless may be politically irresponsible.

## III

Let us see how this works or does not work under totalitarian circumstances. I can't give an analysis of this form of government here; you will have to believe me. Human nature, generally speaking, is such that no totalitarian government is possible without becoming criminal itself. That

is, the gigantic crimes committed by these governments are not committed in order to preserve a normal legal and moral order, but they are committed for their own sake or for the sake of ideology. The essence of a totalitarian order is criminality. In the place of the “Thou shalt not kill” comes the order: “Thou shalt kill and we shall tell you when and whom”. Instead of “Thou shalt not bear false witness”, comes the order: “Only by denouncing all those close to you can you prove that you have only one loyalty”. And this criminality is a legal order, it is the law of the land to which you owe legal obedience just as in any other government. That is, they are immoral and criminal, but not as particular acts may be, but as an ORDER, a legal system. In other words, the extermination of certain ethnic groups under Hitler and the extermination of classes under Stalin had no goal outside itself; it would not have come to a halt, for instance, when all the Jews or all the members of classes were dead. The movement was supposed to go on and on. It was not restricted by common-sense utilitarian goals, and in the case of Hitler it had nothing to do with the war. Hitler might have won it without it just as Stalin might not almost have lost it if he had not subjected the military to the same ruthless decimation process as he did with the peasants and the bureaucracy.

What were the alternatives to participation? In both cases, the only political alternative was rebellion or revolution. But this did not happen for the simple reason that such governments, like all tyrannies, rely on mass support, and revolution is never possible without a prior loss of authority. What was feebly attempted in both cases were conspiracies, and no conspiracy has ever brought about a revolution. In both cases, the change came from outside: the death of Hitler, the defeat of Germany, and the death of Stalin. (If Stalin was killed, the significant fact is that his assassins did not own up to their liberating deed, out of fear of the masses). Hence, there was no political alternative, and where there is no political alternative, there remains only the moral alternative: non-participation.

#### IV

This moral side of the matter came to light after the war through courtroom procedure. The grandeur of the courtroom is that no one can any longer be a cog. To excuse oneself by saying “I was merely a cog, anyone else would have done it” is immaterial, because the judge just looks at you and asks: “and why did you become a cog or continue to be a cog? Anything you say about cogs is, at best, mitigating circumstances”.

The question was always the same: “did you have a bad conscience”? And the answer was always the same: “no, on the contrary, I’d have had a bad conscience if I had not done what I did”. And when this moral side came to light, there was the horror that it had been quite easy to still the consciences of a whole people – except for a numerically small minority. When we think of morality, we think of conscience, but the words morals or ethics mean manners, customs, conventions etc., i. e., something social, whereas conscience (to know with myself, a consciousness) is, on the contrary, strictly individual. Hence, the question with which we are confronted is quite serious: does conscience function at all or is it “social”? Which means: does it not function at all? Was it really possible to change the morals of an entire people, like manners? There was, however, the minority of non-participants. We are not concerned with heroes or saints, but with everybody. Who were the participants, who were the others?

#### V

1. Let us look at the situation from the moral side. What is required of conscience in a situation where you have nothing but yourself as a guide? You pit yourself not only against the legal system of the country, but also against public opinion. 2. Since totalitarianism relies on atomization, you are – or think you are – one against all, for all communication is dangerous. The man whom you trust today may change tomorrow, and then you are lost. You do not know those who think like you. 3. You seemingly hold onto standards that have lost all reality; they appear nowhere. 4. Empirically: those who had always been accustomed to held onto standards without examining them, without doubting, those who were conventional and respectable, were the easiest to coordinate. The doubters,

skeptics, rebels, and the like were much harder to sway. For this is a system with its own standards, and unexamined standards, simply accepted on the basis of authority – or public opinion –, which crumble the moment they cease to be real. All that is left them is the habit of having standards to hold onto something, and such standards are provided by the new order.

## VI

Those who did not participate were neither people old-fashioned enough not to accept new standards nor those in possession of better ones. Their conscience did not function in this mechanical way, where you have a law and then subsume all particular cases under it. They were arrogant enough to judge for themselves. And their criterion, I'd suggest, was Socratic: Socrates not only said: "It is better to suffer than to do wrong", but he also explained it: "It is better to be at odds with the whole world than, being one, to be at odds with yourself". They asked themselves whether they would still be able to live with themselves after having committed certain deeds and they decided not to participate, not because the world would be better (not because of political responsibility) and not because they were worried about the salvation of their souls, but because they wanted to go on living with themselves. They refused to murder not so much because they still held fast to the Command "Thou shalt not kill", but because they were unwilling to live together with a murderer.

Two examples. The presupposition for this kind of judging is the habit of examining yourself and living together with yourself. We call thinking that silent dialogue in which you speak with yourself, but it is not technical, not the privilege of the educated and sophisticated. No one was easier to lure into the new morality-trap than the intellectuals, because they can produce ideas for everything and they tend to judge according to what makes them produce such things as notions and ideas.

We tend to think of people who are in the habit of examining basic propositions and standards as destructive. We have every reason to change our minds about this subject. Doubters and skeptics are more reliable, not because doubting is wholesome or skepticism good, but because such people are used to making up their own minds – to live together with themselves.

## VII

This attitude of non-participation, of not doing certain things quite irrespective of the world, is politically a marginal situation. It is irresponsible, and such irresponsibility is justified when you are completely impotent. Hence, it is the right attitude in extreme situations, and it can also be the right attitude for those who have made thinking a way of life: the philosopher, or anyone who claims freedom from politics, which our body politic guarantees to all citizens.

Against this attitude, the current claim was: "every citizen has a duty to obey the laws". He cannot examine the laws and then decide whether or not they are good laws; such conduct would undermine every body politic. No government can survive without this obedience. This is a fallacy, and it resides in the word obedience. Only a child obeys. An adult actually supports the laws or the authority that claims obedience. No action is possible without support and help from others. The one who starts action needs the support from others to see the matter through – *agere-gerere, archtein-prattein*. Without such "obedience", a leader is helpless – whereas the child is helpless in the nursery and the slave is when he refuses to "cooperate". If I obey the laws of the land, I actually support its constitution, and every revolution starts when this tacit consent is withdrawn. In political terms, the non-participants, to the extent that they came into conflict with the laws of the land, did not claim freedom from politics but withdrew their consent, refused to support by shunning such places of "responsibility" where such support was required under the name of obedience, or by paying with their lives for their non-obedience.

## VIII

In conclusion: moral responsibility begins where political responsibility ends, where you either can't or won't do anything for the world. In certain inhuman political situations, it may be a

sign of courage to admit impotence and to say: “I don’t want any part of this world, I shall not take my share and shall not participate”. Then, there is nothing left but life itself in its sheer thereness. And now you will decide only according to this criterion, the old Socratic criterion: “If I can’t do this (for instance, examine myself and those around me), life is not worth living”, and “if I must do that (for instance, kill or bear false witness against my neighbor), I won’t be able to live with myself any longer”. And though there may be many people who don’t live with themselves – and that means those who, strictly speaking, have no conscience – for me, life would not be worth living if I lost myself. If you are lucky, this moral attitude under a totalitarian dictatorship leads only into isolation from your fellow-men; if you are unlucky, it leads to death.