

## Observations from the Eichmann Trial: The Democratic Necessity of Deliberation and Cognitive Diversity

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### ABSTRACT

Hannah Arendt's characterization of Adolf Eichmann in her book *Eichmann in Jerusalem: A Report on the Banality of Evil* has significant ramifications for contemporary democratic theory, namely that articulated by Seyla Benhabib who advocates for inclusive deliberative processes and Hélène Landemore who emphasizes the necessity of cognitive diversity. This paper applies Benhabib's and Landemore's democratic theories to Arendt's characterization and diagnosis of Adolf Eichmann as an individual who was fundamentally incapable of thinking from the standpoint of others. In so doing, this paper seeks to emphasize the necessity of inclusive deliberation and cognitive diversity for healthy democratic processes.

Keywords: democratic theory, deliberation, cognitive diversity, Arendt, Eichmann trial

### Introduction

In her book *Eichmann in Jerusalem: A Report on the Banality of Evil*, political theorist and philosopher Hannah Arendt analyses the testimony of Adolf Eichmann and evidence presented at his trial held in Jerusalem in 1961. She reaches several important conclusions about Eichmann, though this paper will focus specifically on her observations regarding Eichmann's inability to think for himself or from the standpoint of others. In the fourth chapter of the book *Democracy and Difference: Contesting the Boundaries of the Political*, philosopher Seyla Benhabib argues that deliberation is key to optimal democratic function. Political scientist Hélène Landemore argues in her book *Democratic Reason: Politics, Collective Intelligence, and the Rule of the Many* for the epistemic advantage of cognitive diversity in decision-making. Deliberation is the epistemic process by which logic and reason are employed in order to thoughtfully weigh options. Cognitive diversity refers to the inclusion of individuals with different approaches to problem-solving. In terms of ensuring the existence of robust democratic institutions, deliberation and cognitive diversity are two sides of the same coin. This paper seeks to apply the theories of deliberation and cognitive diversity as articulated by Benhabib and Landemore to the character, behavior and deeds of Adolf Eichmann, as uncovered by Arendt during Eichmann's eight-month trial in Jerusalem, in order to show how inclusive deliberation might be a practice that prevents democracies from devolving.

According to Benhabib, democracy should take the form of a "deliberative model" or "discourse model." Within this model, decisions are reached via collective, public consideration and debate by the members of a polity.<sup>1</sup> Deliberative processes are integral to democratic decision-making because they force individuals to think from the standpoint of others in order to formulate arguments that are persuasive to as many people as possible. As such, deliberation is imperative to healthy democratic processes because it leads "the individual to further critical reflection on his

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<sup>1</sup> Seyla Benhabib, ed., "Toward a Deliberative Model of Democratic Legitimacy," in *Democracy and Difference: Contesting the Boundaries of the Political* (Princeton, NJ: Princeton University Press, 1996), pp. 67-94, 69.

already held views and opinions.”<sup>2</sup> Benhabib explains that “reasoning from the standpoint of all involved not only forces a certain coherence upon one’s own views but also forces one to adopt a standpoint that Hannah Arendt, following Kant, had called the ‘enlarged mentality.’”<sup>3</sup> Adopting an “enlarged mentality”, or the capacity to think beyond oneself, is vital if we wish to communicate with others effectively, which is a prerequisite for constructive deliberation.

Landemore takes this one step further and argues that “*inclusive* deliberation” is an epistemic necessity within the democratic process (italics mine). In other words, deliberation is more successful when the individuals deliberating form a cognitively diverse group. Inclusive deliberation “can be expected to have greater epistemic properties than less inclusive deliberation because of the greater cognitive diversity a more numerous group is likely to tap.”<sup>4</sup> In fact, she posits that a group of individuals of average intelligence which is cognitively diverse is a more effective decision-making body than a group that is collectively more intelligent but cognitively similar.<sup>5</sup> This is because cognitive diversity allows us to approach problems from different perspectives, thereby capitalizing on different areas of expertise. Landemore’s emphasis on inclusivity is key to addressing a possible criticism of Benhabib’s conception of deliberation. Benhabib stresses that an “enlarged mentality” is necessary to be as persuasive as possible. Though couldn’t this model be legitimately co-opted by extremists? For instance, the Nazis certainly were persuasive; they did indeed seem to appeal to the mentality of the German *Volk*. Koonz explains how Hitler’s gift for oratory was based on his ability to perceive the opinions and feelings of his audience.

Appropriating the formula of a successful salesman, he would begin by acquainting himself with his audience and studying their reactions to several topics. When he had identified their desires he would explain confidently why only his Nazi movement could fulfill them. Listeners would say to themselves, “Of course, that’s just what I have always believed.”<sup>6</sup>

Evidently, Hitler did possess a sort of “enlarged mentality.” However, Landemore would refute that this sort of persuasiveness is democratically or even epistemically valid. Hitler, and effectively the rest of the Nazi state, were never engaging in discourse that was remotely inclusive. Their rhetoric was meant to be persuasive *only* to ethnic Germans. The perspectives of non-ethnic Germans were certainly never welcomed. As such, the deliberative model that Benhabib and Landemore defend disqualifies any regime that is based on exclusivity from legitimacy.

The necessity of deliberative processes and of cognitive heterogeneity within these processes is made tragically obvious by the acts of Adolf Eichmann. Eichmann was an SS-Obersturmbannführer and an organizer of the Holocaust.<sup>7</sup> Throughout the eight-month trial in

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<sup>2</sup> Ibid, 71.

<sup>3</sup> Ibid, 72.

<sup>4</sup> Landemore Hélène, “First Mechanism of Democratic Reason: Inclusive Deliberation,” in *Democratic Reason: Politics, Collective Intelligence, and the Rule of the Many* (Princeton, NJ: Princeton University Press, 2013), pp. 89-123, 72.

<sup>5</sup> Ibid, 90.

<sup>6</sup> Claudia Koonz, *The Nazi Conscience* (Cambridge, MA: Belknap Press of Harvard Univ. Press, 2005), 18.

<sup>7</sup>It is important to note that Arendt devotes considerable time to dismantling the myth propagated by both the prosecution and by Eichmann himself that he was more than a peripheral official within the highly complicated Nazi hierarchy. As such, Arendt dismisses the magnitude of technical responsibility that the trial levied against

Jerusalem, Arendt observed that Eichmann was incapable of thinking beyond himself. The “decisive flaw in Eichmann's character was his almost total inability ever to look at anything from the other fellow's point of view.”<sup>8</sup> This was made especially evident when he explained that “the Jews ‘desired’ to emigrate, and he, Eichmann, was there to help them, because it so happened that at the same time the Nazi authorities had expressed a desire to see their Reich *judenrein*. The two desires coincided, and he, Eichmann, could ‘do justice to both parties.’”<sup>9</sup> Not only was Eichmann unable to see himself as anything but a magnanimous middleman, but he was utterly oblivious to the perspectives of those Jews whom he was “helping.” He wanted the Jews to emigrate because he decided that emigration (though a more accurate term would be expulsion) of Jews was his area of expertise. Therefore, because he wanted the Jews to “emigrate,” he believed the Jews wanted to as well.

Upon observing his narcissistic tendencies, Arendt explains that Eichmann’s inability to think from the standpoint of someone else was inextricably tied to his inability to think—and consequently to speak—in anything but “stock phrases and self-invented clichés.”<sup>10</sup> Even “when he did succeed in constructing a sentence of his own, he repeated it until it became a cliché.”<sup>11</sup> To some extent, even Eichmann was aware of this. During the trial he told one of the judges, “Officialese [Amtssprache] is my only language.”<sup>12</sup> In this context, the “officialese” refers to the language authorized by Nazi officials for use by any officials who were involved in the execution of the Final Solution. In fact, in all official correspondence with regard to the Final Solution “it is rare to find documents in which such bald words as ‘extermination,’ ‘liquidation,’ or ‘killing’...The prescribed code names for killing were ‘final solution,’ ‘evacuation’ (Aussiedlung), and ‘special treatment’ (Sonderbehandlung).”<sup>13</sup> Arendt explains that these language rules served a dual purpose—they rendered morbid and violent acts sterile and strictly objective and they redefined truth as only what is expressed in accordance with the “language rules,” i.e. the murder of Jews was a lie, the evacuation of Jews was the truth.<sup>14</sup> The cognitive, moral and psychological dependence on “officialese,” by Nazi officials of course meant that Eichmann was the perfect for the job. As Arendt concludes, “Eichmann's great susceptibility to catch words and stock phrases, combined with his incapacity for ordinary speech, made him, of course, an ideal subject for ‘language rules.’”<sup>15</sup> He was not cognitively capable of questioning the Party, and because he never saw anyone else doing so, it never would have occurred to him to do so.

Obviously Eichmann’s “enlarged mentality”—his capacity for empathy—and his independence of thought were nonexistent. However, his competence lay elsewhere. He was undeniably skilled at organizing the bureaucratic means to execute his job, which was the identification, assembly and transportation of Jews from their homes in Germany and German-

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Eichmann. In no way does she exonerate him, but she methodically explains the complicated chain of command within Nazi hierarchy—the nuances of which were not understood by either the prosecution nor even by the defense.

<sup>8</sup> Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil* (London: Penguin Books, 2006), 47-48.

<sup>9</sup> *Ibid.*, 46.

<sup>10</sup> *Ibid.*, 49.

<sup>11</sup> *Ibid.*

<sup>12</sup> Qtd. in *Ibid.*, 48.

<sup>13</sup> *Ibid.*, 85.

<sup>14</sup> *Ibid.*

<sup>15</sup> *Ibid.*, 86.

occupied Europe to extermination camps. Arendt explains the terrifying bureaucratic efficiency of Eichmann’s forced emigration system. She quotes Jewish functionaries from Berlin who witnessed the procedure,

This is like an automatic factory, like a flour mill connected with some bakery. At one end you put in a Jew who still has some property, a factory, or a shop, or a bank account, and he goes through the building from counter to counter, from office to office, and comes out at the other end without any money, without any rights, with only a passport on which it says: “You must leave the country within a fortnight. Otherwise you will go to a concentration camp.”<sup>16</sup>

In Berlin, this system so efficiently stripped Jews of their rights and property and ejected them from the country that Eichmann was sent to Vienna and Prague to implement the same system.

The fact that Eichmann possessed instrumental rationality—the pursuit and organization of the means to an end—but had no capacity to think from the standpoint of others could illustrate that the difference between two types of reasoning—instrumental rationality, which involves objectivity and pragmatism, and value rationality, which involves deducing the ethical course of action. Sociologist Max Weber describes the differences between these two capacities.

Social action, like all action, may be...:(1) *instrumentally rational (zweckrational)*, that is, determined by expectations as to the behavior of objects in the environment and of other human beings; these expectations are used as "conditions" or "means" for the attainment of the actor's own rationally pursued and calculated ends; (2) *value-rational (wertrational)*, that is, determined by a conscious belief in the value for its own sake of some ethical, aesthetic, religious, or other form of behavior, independently of its prospects of success.<sup>17</sup>

This type of value-based rationality, or moral reasoning, is vital to the democratic process, specifically within the context of deliberation. The ability to make moral judgements, to judge right from wrong, is crucial to robust political participation. This is especially true in instances of conflicting moral judgements within a body politic.

Landemore takes this a step further by demonstrating how important different perspectives are to deliberative processes. She cites Sidney Lumet’s film *Twelve Angry Men* to illustrate the existence of different types of reasoning. In the film, a juror played by Henry Fonda convinces the eleven other jurors to reconsider the guilty sentence they are about to pass on the defendant who has been charged with murder. During their reconsideration,

the contributions of each jury member vary and compliment each other: juror number 5, a young man from a violent slum, is the one who notices that the suspect could not possibly have stabbed his victim with a switchblade. No other juror was acquainted with the proper way to use a switchblade. Juror number 9, who is an old man, then questions the plausibility of the time it took one of the key witnesses to cross the corridor. One of the

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<sup>16</sup> Ibid, 46.

<sup>17</sup> Max Weber, *Economy and Society: An Outline of Interpretive Sociology*, ed. Guenther Roth and Claus Wittich (Berkeley, CA: University of California Press, 1978), 24.

most rational jurors, a stock broker who is not convinced by any of the other arguments, finally has to admit that a nearsighted woman is not credible when she pretends to have seen the murderer from her apartment across the street, through the window of a passing subway, while she was lying in bed, most likely without her glasses.<sup>18</sup>

Even though this is an example from a film, the point here can certainly be extrapolated to real life—different life experiences within a group of people results in a group of individuals that is cognitively diverse and can therefore solve problems more effectively together than they can alone.

Clearly, involving the perspectives of others in our own decisions, especially when these decisions affect others, is crucial. Eichmann presents perhaps one of the most atrocious examples of the consequences of failing to do so. According to Benhabib, ideally, this myopia is exactly what the deliberative process ameliorates. When we are deliberating we learn from others, sort through our preferences, analyze our opinions, and realize we have to think from another's standpoint in order to make arguments that would be persuasive to them. As such, deliberation refines our own opinions via collective, public evaluation. On this point Landemore is slightly more explicit. She argues that deliberation within the context of diverse perspectives leads to optimal outcomes because it will “enlarge the pools of ideas and information... weed out the good arguments from the bad” and “lead to a consensus on the ‘better’ or more ‘reasonable’ solution.”<sup>19</sup> Indeed, thinking from the diverse standpoints of others leads to optimal outcomes, but it may very well be necessary in order to avoid the worst possible outcome. In the case of Nazi Germany, the worst possible outcome was the establishment of a totalitarian state which managed—by virtue of a distinct absence of diversity of thought—to exterminate nearly two-thirds of the European Jewish population.

One striking example of the necessity of diversity of thought and opinion is outlined by Arendt when she explains the extraordinary response of officials in Denmark with regard to the “Jewish question.” In Denmark, Nazis met with resistance to all their typical pre-emptive measures which were meant to ultimately lead to the deportation of all Jews in the occupied country to extermination camps. Besides actually using the Nazi’s revocation of citizenship from Jews to *protect* all the Jewish refugees in Denmark (“the Danes... 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 statelessness per se that saved the Jews but, on the contrary, the fact that the Danish government had decided to protect them”),<sup>20</sup> the Danes also managed to change the minds of Nazi officials who were stationed in Denmark with regard to Jews. Indeed, the German officials who had been living in the country for years were no longer the same. Not only did General von Hanneken, the military commander, refuse to put troops at the disposal of the Reich plenipotentiary, Dr. Werner Best, the special S.S. units (Einsatzkommandos) employed in Denmark very frequently objected to ‘the measures they were ordered to carry out by the central agencies’ - according to Best's testimony at

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<sup>18</sup> Landemore Hélène, “First Mechanism of Democratic Reason: Inclusive Deliberation,” in *Democratic Reason: Politics, Collective Intelligence, and the Rule of the Many* (Princeton, NJ: Princeton University Press, 2013), pp. 89-123, 98.

<sup>19</sup> *Ibid*, 97.

<sup>20</sup> Hannah Arendt, *Eichmann in Jerusalem: A Report on the Banality of Evil* (London: Penguin Books, 2006), 172.

Nuremberg. And Best himself, an old Gestapo man and former legal adviser to Heydrich, author of a then famous book on the police, who had worked for the military government in Paris to the entire satisfaction of his superiors, could no longer be trusted, although it is doubtful that Berlin ever learned the extent of his unreliability.<sup>21</sup>

Apparently, after being exposed to and living among perspectives that were not manufactured by the Nazi state, these individuals “no longer looked upon the extermination of a whole people as a matter of course.”<sup>22</sup> Tragically, the events in Denmark were the exception to the rule. Arendt explains that in Italy and Bulgaria, anti-Semitism didn’t have much traction either, but in these countries resistance and protection of Jews was certainly not as blatant, nor did these countries manage to change the mind of Nazi officials. One of many lessons to be learned from the conduct of the Danes is the necessity of diversity of thought, the requirement that individuals be exposed to opinions other than their own. Indeed perhaps the greatest tragedy of the extraordinary events in Denmark is just that—they were not ordinary.

Arendt’s account of Adolf Eichmann and of the events during World War II which led to the Holocaust prove the necessity of inclusive deliberation, that is, collective decision-making within a group of cognitively diverse individuals. Arendt provides a historical reason for why we must take the theoretical arguments put forth by Benhabib and Landemore seriously. Public deliberation within the context of a variety of perspectives is perhaps the surest political method with which we can try to prevent such sinister politics from ever gaining traction again.

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<sup>21</sup> Ibid, 172-3.

<sup>22</sup> Ibid, 175.

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