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Amor mundi: Hannah Arendt's political phenomenology of world

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Conclusion

Amor Mundi

1. The paradox of distance and engagement

Arendt's approach of political phenomena is often considered as suffering from elitism and aloofness; her performance as a public intellectual regarded as cool, distant, arrogant and impersonal. Ralph Ellison has probably voiced this criticism most eloquently, sarcastically accusing Arendt of speaking with 'Olympian authority'.¹ Along the same lines, though in somewhat more neutral terms, Adam Kirsch recently established in an article in *The New Yorker* that 'if it is true that, as Arendt once observed, 'in the works of a great writer we can almost always find a consistent metaphor peculiar to him alone in which his whole work seems to come to a focus', then her thought is certainly focused on the image of distance or separation.²

Indeed, throughout her work Arendt stresses distance, i.e. the in-between, or *interesse*, the world that is public and which we as human beings share. She takes great pains to argue that the removal or destruction of this distance is catastrophic for the human affairs, her preferred description of the political. This is exactly what happens in those warm interpersonal feelings and rapport which are varieties of love of Man, which I will call *Amor Hominis*, such as compassion, charity, *Ababath Israel*, i.e. love of the Jewish people, brother- and sisterhood, and even in the Enlightenment discourse of human rights. It is also destroyed, in her view, when the political is usurped by the social, that is, when the political value of freedom gives way to social, i.e. socio-economic and socio-cultural, justice, the pursuit of private interest, albeit enlightened, and moral considerations. In other words, the distance that the world puts between us is destroyed whenever politics is reduced to a means to elevate poverty, to acquire wealth or socio-cultural recognition, or to moral considerations. And she consistently stresses the significance of those activities that enable or preserve this distance, such as the mutual granting of legal personality, i.e. the mask, the

¹ Ellison, 2003 [1964], 156. For Ellison's criticism of Arendt's essay 'Reflections on Little Rock', also see an interview with Warren, 1965, 343-44.

² Kirsch, 2009

protection of the private sphere of natural invisibility, and the opening up of a public space in which citizens can participate and interact with each other as free and equal peers, on the basis of respect and civic friendship. Arendtian actors and spectators are, indeed, proud individuals.

This pathos of distance is expressed in the primacy Arendt attributes to the world over Man, over life itself and over the self.³ Politics, she writes, is ‘concerned with the world as such and not with those who live in it.’⁴ ‘The world has interests of its own.’⁵ One of the most important insights that Arendt provides is her acknowledgment that it is not just plain hatred of the world, *Contemptus Mundi*, but also love of Man, *Amor Hominis*, that is capable of inflicting harm and catastrophes in politics.⁶ Arendt’s pathos of distance is often misunderstood as elitism, whereas it, on the contrary, enables a sharing of the world and a non-sentimental humanism, as I will show in the subsequent sections.

What is overlooked in the accusations of Arendt’s aloofness, though, is that ‘distance’ is not the only metaphor or image that is typical of her approach of the political. In the previous chapters I have argued that her work is as much characterized by a hermeneutic-phenomenological attitude of engagement. To be sure, the juxtaposition of distance and engagement is anything but a contradiction, nor is it an attempt at finding a middle ground between, even less so a reconciliation of, two opposed concepts. On the contrary, distance and engagement constitute a paradox, in the Arendtian sense. Arendtian paradoxes are phenomenological deconstructions that elucidate the lack of fit between theoretically, metaphysically and scientifically motivated conceptual motifs, often

³ Cf. the notion of the ‘pathos of distance’ in Nietzsche, 2002 [1886], §257, 151-52; idem, 1994, essay I, 2 and essay III, 14, pp. 12-13, 97. However, Nietzsche’s aristocratic pathos of distance is, in fact, a pathos of hierarchy or domination, of superiority of the strong individual over the weak ones. Despite her much decried elitism and her insistence on pride, nowhere in Arendt’s work, however, do we encounter such a pathos of hierarchy. In fact, she rejects any notion of rule and sovereignty and the elevation of the few over the many (LKPP).

⁴ Arendt, ‘Freedom and Politics. A Lecture’, 1961b, 2000. Cf. ‘Courage liberates men from their worry about life for the freedom of the world. Courage is indispensable because in politics not life but the world is at stake.’ (‘What is freedom?’, BPF, 156).

⁵ ‘On violence’, CR, 175.

⁶ The concept of *Amor Mundi* that she borrowed from Augustine, with whose concept of love her dissertation dealt, is Arendt’s herself. She mentioned it only once, in a letter to Karl Jaspers from August 6, 1955. From this letter, it becomes clear that she originally planned to call the book she was writing at that moment *Amor Mundi*. ‘Ja, die Weite der Welt möchte ich Ihnen diesmal bringen. Ich habe so spät, eigentlich erst in den letzten Jahren, angefangen die Welt wirklich zu lieben, daß ich es eigentlich können müßte. Aus Dankbarkeit will ich mein Buch über politische Theorien ‘Amor Mundi’ nennen.’ (Saner, 1985, 301) Eventually, she changed the title to *The human condition*. In Medieval theology, *Amor Mundi* is opposed to *Contemptus Mundi*. I devised the term *Amor Hominis* myself, with the help of Louis van den Hengel.

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oppositions, contradictions or dualisms, on the one hand, and the existential roots and experiences from which these motifs derive, on the other hand. Arendt's work abounds in paradoxes, since as a phenomenologist she strives to do justice to the experience of phenomena. Indeed, human existence itself is full of paradoxes.⁷ In this case as in so many others, Arendt deconstructs the opposition of distance and engagement by uncovering how the interdependence of engagement and distance is presupposed in the activity of judgment and the formation of opinion. Most importantly, the paradox of distance and engagement is expressed in Arendt's phenomenological understanding of the world as the in-between, that 'relates and separates men at the same time.'⁸

The scholarly, or more generally existential, pathos or ethos which permeates Arendt's work is *Amor Mundi*, love or care for the world, or, in her description of Lessing's ethos that could as well be applied to herself, 'partisanship for the world'.⁹ Arendt could be considered an engaged intellectual. However, as this title in her time was associated with ideologically committed Marxist fellow travelers, such as Sartre and Brecht, she eschewed it wholeheartedly.

In this conclusion, I will explicate the ethos of *Amor Mundi* and its counterparts, *Amor Hominis* and *Contemptus Mundi*. This way I will address all the key issues I raised in the preceding chapters. In the second half of this chapter, I will demonstrate the urgency and relevancy of this ethos and its current challenges.

Amor Mundi

The scholarly ethos of commitment to phenomena, events, facts, and appearances that Arendt calls for is a precondition of *Amor Mundi*.¹⁰ This ethos appeals to the cultivation and exercise of a radical openness to and engagement with the factual, that is, contingent and unpredictable nature of events and phenomena. The engaged spectator exemplarily plays out the paradox of distance and engagement inherent in *Amor Mundi*. She lets herself be addressed by what she investigates, but she is not involved or a participant, as the actor is. The scholar-as-spectator abandons the subject-object dualism of the scholar-as-observer. The objectification of human action is replaced by the acknowledgment of the inherent meaningfulness of human action. *Amor Mundi* enables intersubjective validity or situated impartiality on the judgment, understanding and opinions we achieve as engaged spectators.¹¹ By informing and initiating the hermeneutic process of understanding, i.e. the

⁷ For my description of Arendtian paradoxes, see chapter 1.

⁸ HC, 52.

⁹ 'On humanity in dark times', MDT.

¹⁰ See chapter 1.

¹¹ See chapter 1.

hermeneutic circle, *Amor Mundi* enables a kind of validity that is an alternative to standpoints which are either detached or involved. The detached standpoint is the objectivist one of scientism and strong empiricism, as expressed in the Archimedian ideal of objectivity. Instead of meaningful, the world is considered but a collection of sense data 'out there'. The involved standpoint could be called subjectivist. Subjectivism implies the absence of representative thinking or *erweiterte Denkungsart*, the representation in one's imagination of views others might have on a particular situation. In fact, in subjectivism, one withdraws from the world altogether, and confines oneself in a self-enclosed universe, whether it is the mind with its metaphysical and logical reasoning or the soul with its emotions and romantic soul-searching.

Amor Mundi finds expression in a plethora of human activities that I described in the preceding chapters, such as speech and action, i.e. participation, interaction, and taking initiative¹²; judging, including making distinctions, understanding, storytelling and the formation and exchange of opinions¹³; promising and concluding contracts¹⁴; seeking, exploring and telling factual truths¹⁵; and marginalized groups' struggle for political visibility¹⁶. These world-disclosive activities, among others, ensure the generation and maintenance of the public and common intersubjective world. Likewise, *Amor Mundi* is expressed in practices and phenomena, such as civic friendship, the kind of being-together of citizens which 'is not intimately personal but makes political demands and preserves reference to the world'¹⁷; power, i.e. action-in-concert¹⁸; common sense¹⁹; and in fidelity to factual truth and contingency²⁰. Additionally, *Amor Mundi* is expressed in the world-building activities of the fabrication of utensils, institutions, laws, works of art, etc., that together constitute the material world. It also becomes manifest in contracts, which are an effect of mutual promising, and which are subsequently materialized and institutionally

¹² See chapter 2.

¹³ See chapter 1-4.

¹⁴ See chapter 3.

¹⁵ See chapter 2.

¹⁶ For example the black civil rights movement, feminist practices of freedom, labor movement, alter-globalization movement. See chapter 8.

¹⁷ 'On humanity in dark times', MDT, 25. Cf. 'a kind of friendship without intimacy and without closeness; [the] regard for a person from the distance which the space of the world puts between us.' (HC, 243) and 'This converse (in contrast to the intimate talk in which individuals speak about themselves), permeated though it may be by pleasure in the friend's presence, is concerned with the common world, which remains 'inhuman' in a very literal sense unless it is constantly talked about by human beings.' ('On humanity in dark times', MDT, 24-25). See chapter 5.

¹⁸ See chapter 3 and 8.

¹⁹ See chapter 4.

²⁰ See chapter 2.

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embodied in covenants, treaties, constitutions, the law, etc.²¹ These institutions and the standards they establish constitute ‘something men have in common in a worldly reality perceived by the senses or by the mind.’²²

The attitude, activities and practices of *Amor Mundi* enable stability; reality; meaningfulness; commonality; publicity, visibility and the appearance of who we are; and public freedom. These values are the gifts of worldly human existence. Without the material world human beings build themselves, including buildings, constitutions and laws, human existence loses its stability. Isolated from the presence of and interaction with others he encounters in the world, the individual loses his sense of reality.²³ The constitutive role of stories, judgments and opinions also consists in disclosing the meaning of the very fragile immaterial intersubjective dimension of the world. Only through a plurality of stories, judgments and opinions concerning the same reality, that is, the same phenomena, events, facts and states of affairs, does the world become a common world. For the world is not a common world as a matter of course and everyone’s place in it cannot be taken for granted.²⁴ A common world is also a public world, in the sense of a stage for appearance. Without it, we cannot appear as who we are, that is, as individuals with a unique biography. Hence the significance of public, participatory visibility, as distinct from, but enabled by, natural invisibility, which reveals some aspects of the person, that is, the who, *δαίμων* or men-as-citizens; and conceals other, that is, what or man-as-natural-man, through the distinction between the private and the public sphere and through the mask of legal personality. Together, stability, reality, meaningfulness, commonality and publicity enable freedom. In Arendt’s view, freedom is a public quality that refers to civic participation and power in the sense of action-in-concert. It concerns the ability to shape the common world in associative, public action and as such it is a thoroughly worldly experience.

In other words, humans are worldly beings. Their situatedness becomes manifest in the human conditions. Human beings and their natural and worldly environment are mutually conditional. We are not simply specimens of some worldless universal humankind who find themselves over and against others, our bodies and the world.²⁵ What is at stake in care for the world, becomes clear when we consider, reversely, what is lost when *Amor Mundi* withers away. Without *Amor Mundi*, the human world slowly disappears, that is, it ceases being a space of freedom and loses its public character, its commonality, its

²¹ See chapter 3.

²² HC, 299.

²³ See chapter 1 and 4 on our sense of the real.

²⁴ See part II on the commonness of the world.

²⁵ On the idea of human conditions and the deconstruction of the subject-object dualism, see chapter 2.

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meaningfulness, reality and stability. It takes no less than a *Gestaltswitch*, from self to world, to recognize its importance. For the world is the fragile human home and therefore more important than individual human beings. Without a world, the earth is inhospitable and unlivable for human beings, a wasteland in which individuals may be able to survive, but which is unfit for a dignified human existence. Our continued care for the world is needed in order to keep it a place in which we can be at home and exercise our freedom.

Contemptus Mundi

Amor Mundi is opposed to *Amor Hominis*, as we have seen. Still, it runs as much counter to another de-politicizing pathos, *Contemptus Mundi*, hatred of the world. *Contemptus Mundi* is expressed in a variety of phenomena, ranging from the totalitarian experience, metaphysics and ideologies, to modern subjectivism. Obviously, these phenomena differ widely with respect to their physical destructiveness. The very rage against the world that totalitarianism accomplishes, made Arendt aware of the value and significance of worldliness, and of our continued effort to keep it a public and common space in the first place. Totalitarian *Contemptus Mundi* is expressed on multiple levels. As an ideology, totalitarianism disdains facts and common sense. This is a more general feature that all ideologies share. Another feature of the ideological hatred for the world, is the desire to change Humankind and create New Man. However, Arendt writes, ‘we can no[t] change a world by changing the people in it (...). If we want to change an institution, an organization, some public body existing within the world, we can only revise its constitution, its laws, its statutes, and hope that all the rest will take care of itself.’²⁶ Next, through terror, totalitarianism destroys both public and private life, and hence human plurality. And since plurality and worldliness are mutually conditional, a loss of plurality also means a loss of world.

Less obviously, because without direct violence, metaphysics has been hostile to the visible world of appearances ever since Plato. The metaphysical fallacies and prejudices are the clearest corollaries of the typically metaphysical *Contemptus Mundi*.²⁷ Modern Cartesian metaphysics is no less aversive to the world. Rather than the ancient metaphysical flight from the visible, versatile and contingent world of appearances into an invisible and immutable world of True Being, for example Plato’s world of Ideas, modern metaphysics executes a flight from the world into the Self, mind or consciousness. Philosophy in Descartes and Hobbes becomes a ‘playing of the mind with itself’²⁸, in Arendt’s view. Thus, modern metaphysics prepared the way for a much broader subjectivist turn in culture in

²⁶ IP, 106; cf. IP, 104-06.

²⁷ For a discussion of the metaphysical fallacies and prejudices, see chapter 1.

²⁸ HC, 284.

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Romanticism, the indulgence in inwardness and the romantic idea of a deep self, to be discovered through introspection.

Amor Hominis

World-alienation and loss of freedom do not just occur in the phenomena of *Contemptus Mundi*, but also, potentially, in those of *Amor Hominis*. In the political, Arendt holds, the ethos of *Amor Mundi* should take precedence over *Amor Hominis*, care for the self, ‘whether this self is your body or your soul.’²⁹ Care for the body, or life itself, and care for the soul or psyche, are the main shapes of *Amor Hominis*.

The care for life itself, for our physical and material wants and interests, is an important ingredient of the activities of the private and social spheres, labor and work. As natural embodied beings, i.e. as members of the species *homo sapiens*, we all need oxygen, shelter, food, water, clothing, health, care, love, safety, i.e. personal and physical integrity, recognition of our personal and socio-cultural identities, and the like. These basic needs are absolute and, quite literally, beyond discussion, because they are indeed compelling. Without meeting these needs, human beings will simply not survive. They are absolutely necessary for the integrity of the self and the body. Besides, this does not mean we cannot interpret, reflect upon and discuss these needs, in particular in negotiating the way they should be fulfilled.³⁰ But although guaranteeing the physical, psychological and social survival of the person is a necessary condition for political action, it is far from sufficient, nor is it in itself a political pursuit, Arendt held. The political is usurped by the social as soon as natural and social needs become the substance of politics, that is, if the political is reduced to pursuing private or group interests, the promotion of wealth or welfare, social justice, whether socio-economic redistribution or socio-cultural recognition. Whenever care for the world is replaced by care for life itself, public freedom is jeopardized. In Arendt’s view, on the contrary, political action and the public sphere should center on the *res publica*, i.e. on that which is of concern to everyone, on debate, interaction, participation, and as a consequence on public freedom. As far as the political is concerned, her answer to the question ‘Redistribution or recognition?’ would be: ‘Participation!’ This would imply a shift from justice to freedom as the key value of the political.³¹

The ethos of the political is care for the world; the ethos of the moral is care for the soul. ‘In the center of moral considerations of human conduct stands the self, in the center of political considerations of human conduct stands the world.’³² Arendt provocatively

²⁹ Arendt, ‘On Hannah Arendt’, 1979, 311.

³⁰ See chapter 2, §4.

³¹ See the discussion between Nancy Fraser and Axel Honneth in: Fraser and Honneth, 2003.

³² ‘Collective responsibility’, 1987 [1968], 47.

assumes that morality, that is, moral codes and rules of conduct, conscience and the value of goodness, is out of place in the public, political sphere. She seems to be particularly fond of Machiavelli's assertion that 'I love my native city more than my soul', which, in Arendt's interpretation, means: 'I love the world and its future more than my life or my self.'³³ And she agrees with Brecht's insight that 'on the day that you must leave the world it will be of greater consequence to leave behind you a better world than to have been good.'³⁴

To be sure, in the private and social spheres, morality, the care of the self, is appropriate and legitimate. Our conscience demands the agreement, or friendship between me and myself, the two-in-one of the thinking process, as Arendt calls it repeatedly. In order to be able to live with myself, who, indeed, is the one person I simply cannot desert, 'it is better to be wronged than to do wrong', as a Socratic wisdom reads that Arendt wholeheartedly agrees with, since 'you can remain the friend of the sufferer', but 'who would want to be the friend of and have to live together with a murderer?'³⁵ The side effect of thinking, i.e. the conversation between me and myself, is the striving for integrity of the self, that is, the agreement between me and myself, that Arendt calls the conscience. Arendt illustrates the latter with the impressive example of the internal dialogue of Shakespeare's Richard III after committing many crimes.³⁶ Conscience, in other words, is interested in the self, in coming to terms with oneself, that is, in the preservation of the self's integrity or moral health³⁷. It is not, however, concerned with the public good and the preservation of the world. In Canovan's words:

[T]here is a difference between looking at a political issue from a private point of view, asking 'what does my conscience demand of me?', and looking at it from a

³³ LKPP, 50. Cf. OR, 37 plus n.20 (286); HC, 57-58, 77-78; 'What is authority?', BPF, 136-41.

³⁴ MDT, 236. Cf. Arendt on Lincoln: Canovan, 1985, 638.

³⁵ Arendt, 'Thinking and Moral considerations', RJ, 185.

³⁶ 'O coward conscience, how dost thou afflict me! / The lights burn blue. It is now dead midnight. / Cold fearful drops stand on my trembling flesh. / What do I fear? Myself? There's none else by. / Richard loves Richard, that is,, I am I. / Is there a murderer here? No. Yes, I am. / Then fly. What, from myself? Great reason why - / Lest I revenge. What, myself upon myself? / Alack, I love myself. Wherefore? For any good / That I myself have done unto myself? / O no! Alas, I rather hate myself / For hateful deeds committed by myself. / I am a villain; yet I lie, I am not. / Fool, of thyself speak well; fool, do not flatter: / My conscience hath a thousand several tongues. / And every tongue brings in a several tale. / And every tale condemns me for a villain. / Perjury, perjury, in the highest degree; / Murder, stern murder, in the direst degree. / All several sins, all us'd in each degree / throng to the bar, crying all, 'Guilty! Guilty!' / I shall despair; there is no creature loves me. / And if I die no soul will pity me. / And wherefore should they, since that I myself / Find in myself no pity to myself? / Methought the souls of all that I had murder'd / Came to my tent, and every one did threat / To-morrow's vengeance on the head of Richard.' (Shakespeare, Richard III, 1591, Act V, scene 3, 3681-708) Cf. Arendt, 'Thinking and moral considerations', RJ, 185.

³⁷ 'Truth and politics', BPF, 245.

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public point of view, saying ‘what will become of the polity, and what actions must I take to promote the public good?’. (...) [Arendt’s] point (...) was (...) to underline the difference between living as a private individual with a conscience and living together with others in a public world for which all are jointly responsible.³⁸

This is where the crucial difference between, on the one hand, conscientious objection and, on the other hand, civil disobedience lies.³⁹ Except in emergencies, under very rare conditions, conscience has no place in the political sphere, or rather, it undermines the political, which takes its starting point in plurality instead of in the duality of me and myself.⁴⁰

An example of a line of action inspired by *Amor Hominis* of which Arendt is particularly critical, is the application of, mostly well-intended, compassionate and charitable feelings in the political domain. A case in point is the politics of compassion that inspired the French revolution and the formulation of the *Declaration des droits de l’homme et du citoyen*, the basis of the modern liberal discourse of human rights.⁴¹ Arendt’s criticism, to be sure, does not concern the much-heard decial of the alleged hypocrisy of compassion and charity with respect to underprivileged people, including those devoid of civil right, but their de-politicizing consequences. Declaring someone else to be after all a human being like you and me, and hence worthy of compassion or charity, is anything but an assertion of her political status. This will not gain her recognition as a citizen with a legal personality. Neither is charity a solution to the fate of de-juridified persons, because it does not earn them rights: ‘Charity is no right. Charity should come after justice is done. This is as old as the hills. To throw them [refugees, the stateless] into the lap of charity organizations meant practically: they are completely rightless. [They have] no right to live in the sense [of: they have] no business to be on the earth.’⁴² The pivotal question is therefore how public visibility can be gained or reclaimed, without natural visibility.

Amor Hominis is the conventional definition of humanism. And indeed, this type of humanism is an appropriate ideal in private and social intercourse between people. In the political domain, however, the humanism of *Amor Hominis* is out of place and even dangerous. Still, this ethos is not the only possible substance of public humanism. In the

³⁸ Canovan, 1985, 638.

³⁹ See chapter 8.

⁴⁰ See Arendt’s analysis of Adolf Eichmann’s ‘thoughtlessness’, most clearly in ‘Thinking and moral considerations’, RJ, 188-89.

⁴¹ On Arendt’s criticism of the Rousseauan politics of compassion, see chapter 3. On Arendt’s criticism of the *Declaration des droits de l’homme et du citoyen* and the Enlightenment discourse of human rights, see chapter 7.

⁴² Arendt, 1955, ‘Statelessness’, 1.

next section, I will argue that Arendt, despite her disapproval of the ethos of *Amor Hominis* in the public sphere, is a humanist, in a non-sentimental sense.

Arendt's humanism

What we share as human beings, is not a common human nature, but the world through which we relate to each other. We need this detour through the public world that we share with others to achieve and maintain a meaningful and truly human life. That is, a life in which human beings can rise above the level of being an animal species having to deal with the necessities of survival, in order to achieve a biography, i.e. a life which through its contribution in word and deed, tells a story and hence is distinguishable and memorable. Humanity or human dignity comes about in love of the world, *Amor Mundi*. This, again, is an Arendtian-style paradox, for it implies that humanity consists in worldliness. Reversely, Arendt's concern about loss of world and world alienation refers to a desire to save humanity and meaningfulness from barbarity and meaninglessness. 'Outside the body politic, man's life [is] without meaning and dignity'.⁴³ Humanity does not refer to a given human nature and inalienable human dignity with which we would be endowed by birth. On the contrary, humanity is to be actively acquired, granted and maintained; it requires a political endeavor. Humanity and meaningfulness are values which are to be retrieved from, on the one hand, the non-humanity of an indifferent nature and of imprisonment in subjectivism; and, on the other hand, the inhumanity of a life led outside the spotlights of the public world or fully exposed to it. The first retrieval refers to world-building, the fabrication of a stable, material world which constitutes a barrier or buffer over and against the impermanence, constant motion and futility of nature and life itself. This retrieval means 'developing nature into a dwelling place for a people', 'fit for human habitation' through the activity of work.⁴⁴

However, the material world of the artifact is a necessary but not a sufficient precondition for a truly human life. Humanity and meaningfulness are also to be retrieved from the inhumanity of an obscure and / or an exposed life, that is, a life completely withdrawn from the intersubjective public world and / or without an intact private sphere into which to withdraw from the public. This fate traditionally befell slaves and women, whose lives were reduced to labor in the private sphere. It is still common in many parts of the world, from the modern slaves in Asian sweatshops, to the formal or informal exclusion of women from the public sphere in some African and (Middle) Eastern countries. In the present Western world, we see it primarily among illegal immigrants. The

⁴³ 'The modern concept of history', BPF, 71.

⁴⁴ 'The crisis in culture', BPF, 212-13.

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spread of surveillance, though, increasingly exposes citizens by depriving them of the protective mask of legal personality as well.⁴⁵ This second retrieval refers to world-disclosure and to the value of human dignity as exemplified in the Roman ideal of *humanitas* that ‘manifests itself in a readiness to share the world with other men.’⁴⁶ The world only becomes truly human through speech, discursive articulation, and the perpetual discussion among human beings about it.

[T]he world is not humane just because it is made by human beings, and it does not become humane just because the human voice sounds in it, but only when it has become the topic of discourse. However much we are affected by the things of the world, however deeply they may stir and stimulate us, they become human for us only when we can discuss them with our fellows. Whatever cannot become the object of discourse - the truly sublime, the truly horrible or the uncanny - may find a human voice through which to sound into the world, but it is not exactly human. (...) We humanize what is going on in the world and in ourselves only by speaking of it, and in the course of speaking of it we learn to be human.

Arendt compares this perpetual discussion to the one in civic friendship, which ‘in contrast to the intimate talk in which individuals speak about themselves (...) is concerned with the common world.’⁴⁷

According to Arendt, the Roman notion of *humanitas* and the Kantian notion of *Humanität* refer to validity ‘without being objective’ and beyond ‘mere subjectivity’; indeed, the intersubjective validity or situated impartiality the engaged spectator achieves in her pursuit of understanding.⁴⁸ It is ‘never acquired in solitude’, she adds, but ‘can be achieved only by one who has thrown his life and his person into the ‘venture into the public realm’.’⁴⁹ Outside of the common world, this humanity cannot emerge and flourish. It is only possible under the condition of appearance and hence participatory visibility in the public world, for it is only there that one can do justice to the human condition of plurality.

The humanity which is achieved in the constitution and maintenance of the material and the intersubjective world, though, is not characterized by warm feelings but by the distance of intersubjectivity. Though actions and events may certainly evoke euphoric enthusiasm and hope concerning the state and future of humankind, humanity is not about warm feelings for one’s fellow citizens. The world is not the sum total of human beings dwelling in it, but consists in the relationships between people, and thus it is a quality of

⁴⁵ See chapter 7.

⁴⁶ MDT, 25.

⁴⁷ ‘On humanity in dark times’, MDT, 24-25.

⁴⁸ ‘Karl Jaspers: a laudatio’, MDT, 73.

⁴⁹ ‘Karl Jaspers: a laudatio’, MDT, 73-74.

something that lies in-between human beings.⁵⁰ Human beings have to relate to the world outside of, but not separate from, them, to become who they are.

I would call the ethos of *Amor Mundi* the Arendtian brand of humanism. To be sure, it is a humanism of a peculiar kind that has little to do with the humanism for which postmodernist thinkers blame modernist thinkers.⁵¹ Following to some extent from her hermeneutic phenomenological approach, Arendt's particular brand of humanism should not be confused with what is commonly, in either modernist, postmodernist or existentialist terms, understood by humanism. It is a humanism that refers to the cultivation of human taste that is, the very starting point of the hermeneutic process of common sense, understanding and judging.⁵² Taste is a worldly faculty because it 'judges the world in its appearance and in its worldliness; its interest in the world is purely 'disinterested', and that means that neither the life interests of the individual nor the moral interests of the self are involved here. For judgments of taste, the world is the primary thing, not man, neither man's life nor his self.'⁵³ For this reason, Arendt calls taste 'the political capacity that truly humanizes the beautiful and creates a culture.'⁵⁴

Arendt's reference to taste is far removed from the aestheticism that some ascribed to her. As a hermeneutic phenomenologist, she insists on the worldliness of taste and its role as a starting point for judging, opinionating, distinguishing and understanding. Through taste, the spectator's engagement with the world gets shape; through imagination and representative thinking her distance. Both are part of the circular process of understanding and judging. That is, by disclosing the direct appeal and significance of a phenomenon, taste opens the circle of understanding which, through the distancing of imagination, comes full circle in explicit understanding of its meaning. However, it is equally removed from an ethical or moral view on politics.⁵⁵

In order to qualify her worldly humanism, I will now quote at length Arendt's comments on the following statement by Cicero: '*Errare mehercule malo cum Plato... quam cum istis (sc. Pythagoraeis) vera sentire*' ('I prefer before heaven to go astray with Plato rather than hold true views with his opponents').

What Cicero in fact says is that for the true humanist neither the verities of the scientist nor the truth of the philosopher nor the beauty of the artist can be

⁵⁰ Cf. Marchart, 2006, 37.

⁵¹ See Introduction.

⁵² See chapter 1 and 4.

⁵³ BPF, 222.

⁵⁴ BPF, 224.

⁵⁵ For the early debate between those defending an aestheticist reading of Arendt's work and those defending an ethical reading, see Introduction.

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absolutes; the humanist, because he is not a specialist, exerts a faculty of judgment and taste which is beyond the coercion which each specialty imposes upon us. This Roman *humanitas* applied to men who were free in every respect, for whom the question of freedom, of not being coerced, was the decisive one - even in philosophy, even in science, even in the arts. (...) This humanism is the result of the *cultura animi*, of an attitude that knows how to take care and preserve and admire the things of the world. As such, it has the task of arbitrating and mediating between the purely political and the purely fabricating activities, which are opposed to each other in many ways. As humanists we can rise above these conflicts between the statesman and the artist as we can rise in freedom above the specialties which we all must learn and pursue. We can rise above specialization and philistinism of all sorts to the extent that we can learn how to exercise our taste freely. (...) [W]e may remember what the Romans - the first people that took culture seriously the way we do - thought a cultivated person ought to be: one who knows how to choose his company among men, among things, among thoughts, in the present as well as in the past.⁵⁶

2. Today's forms of *Amor Mundi*, *Contemptus Mundi* and *Amor Hominis*

Arendt's hermeneutic phenomenology of the political and its ethos of *Amor Mundi* could throw a new and clarifying light on present-day social and political issues. Current examples of practices that breath the ethos of *Amor Mundi*, in other words, of practices of freedom, include forms of civil disobedience, civic discussion and grassroots civic initiatives, ranging from neighborhood committees to movements of concerned citizens organizing around civil rights issues.⁵⁷ Obviously, examples are too numerous to list. Interesting examples include those of organizations of citizens who are concerned with the present undermining of privacy, such as in the Netherlands *Bits of Freedom*⁵⁸ and *Het nieuwe rijk*⁵⁹, the *European*

⁵⁶ BPF, 224-26.

⁵⁷ On the present state of citizens' social and political participation and engagement in the Netherlands, see Bijl, 2009, chapter 8: 'Maatschappelijke en politieke participatie en betrokkenheid', (239-72). It is striking, though, that the authors of this report conceptualize participation and engagement in terms of their contribution to government policies and aims, namely 'social cohesion', 'integration', 'maintaining facilities for voluntary work and informal health care', 'empowerment of disadvantaged groups' and 'mobilizing knowledge and experiences of those concerned in order to improve policies and public services' (240). This is highly ironic in the light of my discussion of the moralization of the political below.

⁵⁸ www.bof.nl

⁵⁹ www.hetnieuwewerijk.nl

Digital Rights Initiative (EDRi)⁶⁰ and in the US *Electronic Frontier Foundation*⁶¹. Initiatives include public campaigning, lobbying and the annual award of the Big Brother Award in many European countries. *DBCvrij.nl*⁶² and *De vrije psych*⁶³ are committed to the protection of the privacy of patients and clients of psychotherapists and psychiatrists which the current system of patient registration⁶⁴ jeopardizes. Another example is the Alter-globalization movement.⁶⁵ The 2008 presidential Campaign of Barack Obama is another case in point. Apart from the fact that this campaign was obviously a very smart and highly effective marketing instrument of Obama's presidency, among others through its innovative and extensive use of new media (internet, social network sites, weblogs, text-messages, etc.), powerful artwork (posters, logos), slogans ('yes we can!') and pop songs, it also managed to mobilize groups of formerly a-political citizens, in particular teenagers and bring them to civic awareness and discussion about their political opinions. Another current example is the 'Green revolution' in Iran, i.e. the coordinated protests, or organized dissent, against the dictatorial regime of president Ahmadinejad and in favor of the opposition candidate since the fraudulent presidential elections on June 12, 2009.

Amor Mundi is also reflected in the classical ethos of journalism. This journalistic ethos is often codified.⁶⁶ Important aspects of *Amor Mundi* are expressed in the standards and principles of truthfulness and accuracy, on the one hand, and fairness or *audi alteram partem*, hearing both sides of the argument, on the other hand.⁶⁷ Truthfulness and accuracy

⁶⁰ www.edri.org

⁶¹ www.eff.org

⁶² www.dbcvrij.nl

⁶³ www.devrijpsych.nl

⁶⁴ The so-called *DBC system* refers to Diagnose Behandel Combinatie, 'Diagnosis Treatment Combination'. I will explain this system and its implications for patients' privacy in more detail below.

⁶⁵ See chapter 8.

⁶⁶ For example in the Council of Europe's Resolution 1003 (1993); the Declaration of principles on the conduct of journalists (also called the Bordeaux Code) of the International Federation of Journalists (1954 / 1986); and in the Netherlands in the Code of conduct for Dutch journalists, of the Dutch Society of Editors-in-Chief ('Nederlands Genootschap van Hoofdredacteuren') (1995) and in the Guidelines of the Netherlands Press Council ('Raad voor de journalistiek') (2007).

⁶⁷ The principle of *audi alteram partem* refers to the fundamental principle that if someone is accused of or blamed for something, she should have the opportunity to respond to and challenge this accusation. It dates back at least to 5th century Ancient Greek tragedy and the Old Testament. Proverbs 18:17: 'The first to present his case seems right, till another comes forward and questions him.' Famously, in *Eumenides*, the last part of Aeschylus' *Oresteia*, the goddess Athena, embodying the principle of Justice, reproachfully addresses the Erinyes (furies) for chasing Orestes (who murdered his mother Clytemnestra) without hearing the latter's side of the story. She says: 'There are two sides to this story. Only one has been heard so far. (...) My view is that oaths alone must not determine victory over injustice.' Aeschylus, 2003 [458 BC], 97 (verses 424-40).

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correspond to commitment to disclosing factual truth; fairness and *audi alteram partem* to *erweiterte Denkungsart* or situated impartiality. On a meta-level, the ideal of pluralistic media as promoted by critical media organizations such as Fairness and Accuracy in Reporting in the US (FAIR)⁶⁸, fosters *Amor Mundi* as well. Despite many threats world-wide to this ethos, most notably through state censorship in authoritarian and totalitarian countries and the concentration of media in few corporate hands (US, Italy) in liberal democratic countries, critical independent journalism dedicated to disclosure of factual truth and fostering of opinionating and sound judgment still exists. The global explosion of news or political weblogs as new media of news dissemination and opinion formation since the beginning of this century is an interesting development in this respect. Weblogs are particular types of websites on which an individual posts comments on any topic on a regular basis. Many blogs have an interactive format, offering the possibility for visitors of leaving comments and starting discussions with other visitors. For my purpose, news or political blogs are most interesting. Though often highly partial and lacking the professional institutionalization and allegiance to traditional journalistic codes, I think they are potentially valuable as a complement to, and sometimes even instead of, traditional media, most notably under authoritarian regimes, but also in liberal democracies. First because it supports the plurality of disseminated opinions. Especially in authoritarian states which control media and do not grant freedom of press, blogs may, secondly, have an important function in disclosing facts, because it is nearly impossible to control the internet. For example, whereas the Iranian government prohibited foreign and domestic media coverage of the street protests after the presidential elections, Iranian students effectively used the Internet to promulgate state violence against protesters.⁶⁹ Finally, next to their role of telling the truth, blogs may be spurs to grassroots civic initiatives and public debate due to its inherent interactive element. As such, weblogs may advance judgment and common sense.

I will conclude my argument with a number of topical examples of *Contemptus Mundi* and *Amor Hominis* in present day human affairs. The first thing that strikes me, is that the effects of contemporary *Contemptus Mundi* are frequently met by some sort of *Amor Hominis*. The prime contemporary example of *Contemptus Mundi* is the multiple underminings of an important dimension of the material world, namely the constitutional state, the *Rechtstaat*, and the rule of law. In the Netherlands, for example, authoritative lawyers have recently

⁶⁸ www.fair.org

⁶⁹ Unfortunately, authoritarian governments are becoming more willing and agile in persecuting, silencing and suppressing bloggers. The governments of Egypt, Myanmar and China are notorious for censorship and political pursuit of bloggers critical of the government. The Chinese government also controls citizens' access to the Internet by blocking particular websites.

warned that ‘the *Rechtstaat* degenerates into a police state’ and warned for a ‘crisis in the *Rechtstaat*’.⁷⁰ Various factors contribute to this undermining, and it takes various shapes. Well-known examples include the de-juridification of particular groups of people such as ‘enemy combatants’ of the war on terror and ‘irregular migrants’ in many countries, including constitutional democratic states; the increasing infringements of the civil right to privacy⁷¹; and the decline of the Italian constitutional state *tout court* in favor of Prime Minister’s Silvio Berlusconi’s own private interest. I will be saying more about the first two examples below.

A concomitant phenomenon is the effect on the public sphere of the popularity of neo-liberal ideology since the last two decades of the twentieth century. Following US president Reagan and UK Prime Minister Thatcher, many European governments embraced neo-liberal ideology from the beginning of the 1980s.⁷² Advocating privatization and de-regulation, neo-liberal policies perform a transfer of public functions, in some cases including law enforcement, to the private sector of the market, and a decrease of government rules, laws and regulations. Although primarily a movement or ideology of economic liberalization, neo-liberalism has political implications as well. It sacrifices political freedom completely, eminent Dutch liberal political thinker Frank Ankersmit argues forcefully.⁷³ He claims that neo-liberalism implies a peculiar return to Hobbesian privatization of public interest.⁷⁴ The withdrawal of the state endangers the protection of civil rights.

In many constitutional democratic states, including Europe, US, Australia, and Israel, the concern for political and civil rights, which Arendt calls care for the world, are increasingly subordinated to the values of natural life, i.e. safety, security, health and quality of life or livability, or care for life itself, in Arendt’s view, without much public protestation. Since both citizens and politicians have increasingly sacralized these values,

⁷⁰ *Intermediar*, December 13, 2006; Böhler, 2004.

⁷¹ In the Netherlands, the civil right to privacy is established in the constitution (articles 10-13). In other (Western) countries it is part of privacy law.

⁷² In the Netherlands, neo-liberalism has been adopted by the Cabinets Lubbers I, II and III (1982-1994), Cabinet Kok I and II (1994-2002) and Cabinet Balkenende I, II, III and IV (Cabinet Balkenende-IV resigned on February 20, 2010. Since, Balkenende is leading a demissionary (caretaker) Cabinet).

⁷³ Ankersmit, NRC, January 10, 2009.

⁷⁴ Ankersmit distinguishes between three phases in the development of liberalism: Hobbesian liberalism, classical liberalism - true liberalism, in Ankersmit’s view - starting after the French Revolution; and finally present neo-liberalism. Unlike Hobbesian liberalism and neo-liberalism, the classical mode of liberalism that prevailed between the end of the 18th and the end of the 20th century grants great importance to the common, public interest (Ankersmit, 2009). For the relation between private and public interest in Hobbes’ work, see chapter 3.

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infringements and violations of certain basic civil rights are often taken for granted. The absolutization of safety, security and health seems to lead to new forms of control and rule that frequently put public freedom under pressure. Arendt demonstrates that the *Rechtstaat* has the important function of attributing human beings masks of legal personality which provide them with distance in relation to one's fellow citizens as mediated through the world. De-juridification makes people susceptible to exposure, i.e. natural visibility, and obscurity, i.e. public invisibility.⁷⁵

The weakened legal identity of (particular groups of) people is increasingly met by various forms of *Amor Hominis*, such as charity and compassion with (illegal) aliens and the poor. Unlike legal personality, charity and compassion abolish the distance between people. The sentimental relation between citizens is repeated at the level of the state, but in a different form: states try to compensate for neo-liberal de-regulation and withdrawal from state interference in the public sphere through moralization and mobilization of citizen vigilance. Since the many shapes of *Contemptus Mundi* and *Amor Hominis*, i.e. care for life itself and care for the soul, are largely intertwined, I will not discuss the two separately, but in their many intimate relationships. I would like to pay attention to two examples of increasing restrictions or even suspension of civil rights and their relation to *Amor Hominis*: the establishment of legal black holes and the de-juridification of illegal aliens and non-state enemy combatants, on the one hand, and the undermining of the right to privacy, on the other hand. Finally, I will discuss the current moralization of politics.

The care for life itself: the socialization of the political

The establishment of legal black holes, juridical non-spaces, zones in which the law has been suspended and which are 'neither wholly in one state or another'⁷⁶, has soared since the beginning of this century. Most notorious examples include the CIA secret prisons ('black sites') across the globe and the detention centers for non-state enemy combatants, alleged Al-Qaeda terrorists, run by the US government, most notably Guantánamo Bay Detention Camp; and, finally, illegal immigrants detention centers in Europe and Australia. What the first two groups of legal black holes and some facilities of the last group share, is that they are situated outside of the territory and legal jurisdiction of the state operating them, though within its *de facto* sovereign control. Specifically for this purpose, the Australian government excised a number of small island nations in the Pacific Oceans from its territory. On these islands asylum seekers were detained between 2001 and 2007. Because these islands did no longer belong to Australian territory, asylum seekers had no

⁷⁵ On exposure and obscurity, see the introduction to part III.

⁷⁶ Cotter, 2005, 106.

right to apply for a visa or asylum. The policy regulating this practice was euphemistically called the 'Pacific Solution'. Doubly invisible are the detainees of the CIA secret prisons used for the interrogation, including very likely torture, and detention of non-state enemy combatants. The US government has admitted that they have existed, but nothing else has been formally promulgated about these prisons, such as their location, duration and the treatment of detainees.⁷⁷

These non-places essentially follow the same logic. Fundamental rules of national and international law do not apply at all. We see a violation of the Geneva Convention Relative to the Treatment of Prisoners of War, or the Third Geneva Convention, for short. In the case of Guantánamo, the fundamental rights of the detainees - 385 men as of April 1 2007⁷⁸ - are suspended indefinitely, including, for example, the right to be brought before an impartial tribunal and to seek the assistance of an attorney.⁷⁹ Under article 118 of the Third Geneva Convention 'prisoners of war shall be released and repatriated without delay after the cessation of active hostilities'.⁸⁰ However, according to the U.S. government the Guantánamo detainees do not qualify as prisoners of war. Thus article 118 of the Convention does not apply. Under article 5 of the Convention, should any doubt arise as to whether captured individuals do in fact belong to one of the hostile parties, a 'competent tribunal' has to ascertain their identity. According to the U.S. government, however, such an examination is not necessary in the case of illegal enemy combatants.⁸¹ In practice, anything can be done with these detainees, including torture, without legal consequences. There is evidence that detention conditions are very harsh in Guantánamo. Inmates are only allowed to shower and exercise once a week and all in all can leave their cells for a maximum of 30 minutes per week.⁸² There are numerous reports about detainees held in isolation cells for more than a year⁸³ or in 'freezing cold isolation cells with no blankets for

⁷⁷ There is evidence that CIA secret prisons were or are operative in Europe, most likely in Poland and Romania, and in Asia, The Middle East, Africa and in the Indian Ocean, the U.S. Naval Base in Diego Garcia.

⁷⁸ According to Amnesty International USA, 2007.

⁷⁹ Obama's endeavors to close down Guantánamo Bay are to be applauded. However, we will not easily get rid of his predecessor's legacy. For example, Obama has not succeeded in achieving his objective to close down Guantánamo Bay by the end of the first year of his presidency.

⁸⁰ Third Geneva convention, 1949.

⁸¹ Cf. Wilde, 2004.

⁸² Amnesty International USA, 2007.

⁸³ To give only one example: The Independent reported on December 19, 2004 that two British detainees were removed from isolation cells in which they had been captured for 18 months.

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days at a time.⁸⁴ In Bagram access is not even allowed to the Red Cross. By rejecting basic legal rights, the U.S. government seeks to preserve its sovereignty.

Giorgio Agamben argues in his *State of exception* that Bush's Military Order has introduced a state of exception in which non-state enemy combatants are no longer subject to positive law and have completely lost their juridical identities. Following Arendt, Walter Benjamin and Carl Schmitt, he argues that their 'bare lives', what Arendt calls life itself or ζωή, are directly exposed – without any legal mediation – to sovereign violence.⁸⁵

Apart from these cases, many facilities for the so-called administrative detention of illegal immigrants exist throughout the world which are located on the national territory and under the legislation of the country operating the facilities. However, lots of evidence exist that in these detention centers, fundamental civil rights and rights guaranteed by the 1951 Convention and protocol relating to the status of refugees, the Refugee convention, for short⁸⁶, are violated. In chapter 7, I discussed the situation in the Netherlands, a country that used to have an excellent record in the protection of human and civil rights. Still, prominent legal scholars and lawyers describe the Dutch situation with respect to the detention of non-criminal illegal aliens as a 'juridical twilight zone'⁸⁷. These violations of fundamental rights are part of a wider de-juridification of illegal aliens, as a consequence of, on the one hand, the erosion of immigration and asylum policies, and, on the other hand, the extension of regimes of surveillance and augmented powers of the police. The latter developments do not just apply to illegal immigrants, for that matter. Citizens are also increasingly subject to a breathtaking expansion of registration and surveillance measures and techniques, which directly affect the protection of their private lives and bodies and thus threaten their natural invisibility.

Following Arendt, Judith Butler argues that both the non-state enemy combatant and the illegal alien are trapped in the contradiction of national sovereignty and human rights.⁸⁸ Like Arendt, Butler points out the existential and anthropological assumptions and consequences of being either an illegal alien or a non-state enemy combatant, accompanying the juridical consequences: who counts as a truly human being and who does not? This question is even prior to the question of 'humane treatment' - of prisoners of war and refugees.⁸⁹

⁸⁴ FBI, 2005.

⁸⁵ Agamben, 2005, chapter 1; cf. Agamben, 1998.

⁸⁶ UN, Refugee convention.

⁸⁷ Kalmthout in NRC, December 14, 2005.

⁸⁸ See chapter 7.

⁸⁹ Butler, 2004, Chapter 3, 'Indefinite Detention'.

We see a growth in the politics of humanitarianism, compassion and charity, as a response to the aforementioned de-juridifications. For example, once in a while, the situation of particular undocumented aliens or families causes public indignation or rage.⁹⁰ The 2005 blaze at the detention centre at Schiphol, Amsterdam, resulted in immediate attention towards the detention circumstances of the undocumented. However, it is highly doubtful that these media scandals will contribute to the undocumented's participatory visibility in the sense that Arendt envisaged. This is not just because this attention is usually short-lived, highly selective⁹¹ and, hence, sentimental. Even if there is public criticism, most of the time it issues in a misguided diagnosis of the wrong at hand, and hence to an equally erroneous solution. The indignation and compassion provoked presuppose the naturalist illusion, i.e. a diagnosis of this wrong in terms of a violated human nature and a solution in terms of charity. Arendt's criticism of sentimentality, moralization and the politics of compassion or pity, that is, public forms of care for the soul, seems to me very appropriate here.

Citizens' privacy and hence their freedom is increasingly jeopardized. Enabled by recent developments in the domains of ICT, such as profiling and the possibilities of linking databases; and biotechnology, for example forensic DNA phenotyping, coupled to augmented powers and responsibilities of the police and new groups of public supervisors, such as compulsory identification, regimes of surveillance are emerging, the measure and scope of which offer unprecedented possibilities for the penetration of the private sphere.⁹²

Legitimized by reference to the value of safety, which is rationalized primarily as the allegedly imminent threat of terrorism, we currently see an extension of the state's use of existing techniques such as telephone tapping⁹³ and camera surveillance, next to the

⁹⁰ In the Netherlands, for example, the case of Taida Pasic from Kosovo was made public in the first half of 2006; more recent (autumn 2007) is the case of the Austrian family Zogaj, also from Kosovo, whose daughter Arigona went into hiding. Cf. the 2005 project 26.000 gezichten. The film project's aim is, according to its initiators, to 'give a face to a large group of asylum seekers, who will be expelled from Holland over the next 3 years'. This 'face', however, does not contribute to participatory appearance, however.

⁹¹ Veiled, ignorant, ugly or criminal aliens who do not invite compassion or sympathy, for example, are never seen.

⁹² Cf. Vedder, 2007; Hildebrandt, 2008; Agre, 1997; Whitaker, 1999 and Broeders, 2007. Recent ethical and philosophical scholarship on privacy and surveillance-technology include Roessler, 2001, 2004; Reiman, 1997; Vedder, 2006, 2007 and DeCew, 1997.

⁹³ The attorney general (Openbaar Ministerie) ordered interception on 12491 phone numbers and an average of 1681 a day during the second half of 2007 (the first year of registration) in the Netherlands. In 2008 26.425 were tapped; 1946 a day on average. In the first half of 2009, 13.223 phone numbers were tapped; 2254 taps a day. Ministry of Justice (Ministerie van Justitie), 'Tapstatistieken'.

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introduction of technique, the biometric passport, for example, in order to control citizens' behavior and identities more comprehensively than ever before.⁹⁴ As Cotter writes:

Serious human rights abuses aside, it must also be remembered that even democracies restrict and erode citizens' civil rights (which are based on the idea of human rights) on the grounds of national security. Under the rule of national sovereignty, they have a perfect right to do so. In the post-9/11 world, Western states are also increasingly exercising their right to exclude, in the name of national security, and are continuing to privilege state sovereignty and security over human rights.⁹⁵

Legitimized by reference to the value of health, that is, to more efficiency in health care and hence in the interest of the quality of care, new comprehensive data-systems are introduced in health care, such as electronic health records. Two examples in the Netherlands are the EPD (*Elektronisch patiënten dossier*)⁹⁶ and the DBC (*Diagnose Behandeling Combinatie*, Diagnosis Treatment Combination, which is accompanied by mandatory electronic processing. Patients' DBC data are to be sent electronically to health insurance companies and to the so-called DIS (DBC-Information-System). Although these data are pseudonymized, i.e. encrypted, they can still relatively easily be traced to the therapist, the postal code of the patient and his or her birth date. It also ignores the fact that all electronic data can as a principle always be cracked or decrypted.

In other words, safety and health are increasingly given priority to privacy, which in the end will affect our public freedom. Arendt demonstrates that when the private sphere is no longer shielded against the public eye, not only is the private sphere affected, as the liberal paradigm holds, but the public sphere as well. The protection of privacy, i.e. of the subject's private invisibility, or the integrity of the private sphere, is a necessary condition for sound citizenship, public freedom and the flourishing of the public sphere.

The care for the soul: the moralization of the political

Obvious examples of the moralization of politics are former US president George W. Bush's use of the term 'axis of evil' (2002) in foreign policy to indicate countries allegedly hosting terrorists (Iran, Iraq and North-Korea) and his predecessor Ronald Reagan's 'evil empire' (1983) for the USSR. Former UK Prime Minister Blair recently used similar moralizing language in his statement in the inquiry on the British support of the war on Iraq that Saddam was a 'monster and I believe he threatened not just the region but the

⁹⁴ See chapter 7.

⁹⁵ Cotter, 2005, 100.

⁹⁶ The influential Dutch journalist Karin Spaink published an alarming pamphlet on the electronic threats to patients' privacy in 2005 (Spaink, 2005).

world. (...) It was better to deal with this threat, to remove him from office and I do genuinely believe the world is a safer place as a result.⁹⁷

In Europe, and particularly in the sphere of domestic affairs, we mostly see more subtle, but no less influential and far-reaching, forms of moralization of the political. For example, Dutch politicians tend to defend themselves after severe political failures by referring to their moral integrity, good intentions or clear conscience. For example, Prime Minister Kok said in his speech on April 16, 2002, in which he requested the resignation of the Cabinet, as a consequence of the conclusions of the inquiry report on ‘the events before, during and after the fall of Srebrenica’ (that is, the genocide on thousands of Bosnian Muslims on July 11, 1993 ‘under the eyes of the Dutch army’)⁹⁸ of the Netherlands Institute for War Documentation (NIOD) that was issued a few days before: ‘I stand for what I did. I can face anyone without shame (‘Ik kan iedereen recht in de ogen kijken’). I have always acted conscientiously (‘naar eer en geweten’). I used to have and still have this conviction.’⁹⁹ This is even the more remarkable in the light of Kok’s explicit refusal to take political responsibility for the genocide in the same speech. In almost identical terms, Prime Minister Balkenende declared on January 11, 2010 after the publication of the report of the Committee of Inquiry regarding the decision process on the political support for the Iraq War, the Commissie-Davids, which concluded that the government of the day subordinated the question of legitimacy under international law to the policy principles that his considerations had been ‘pure’ and ‘conscientious’ (‘naar eer en geweten’).¹⁰⁰ Moral intentions, convictions and appeals to conscience, however, are simply out of place in the political domain. Political failures refer to a lack of, in Arendtian terms, common sense, that is, to unsound judgment and hence the unsound course of action based upon it.

I would like to finish my discussion of concrete contemporary manifestations of *Amor Hominis* and *Contemptus Mundi* that Arendt’s work elucidates with the Dutch example of the ‘new social contract’ that the Cabinets of Premier Jan Peter Balkenende strove to establish. This discourse of a ‘new social contract’ is perfectly in keeping with the neo-liberal ideology that previous Dutch Cabinets have embraced since 1982. In the following, I will closely follow Dutch sociologist Ringo Ossewaarde who published the interesting study *Eigen verantwoordelijkheid: bevrijding of beheersing? (Civic responsibility: freedom or control?)* in 2006, commissioned by a government advisory board on social relations.¹⁰¹ Ossewaarde

⁹⁷ BBC News, 29 January 2010, ‘Iraq inquiry hears defiant Blair say: I’d do it again’.

⁹⁸ NIOD, Report ‘Srebrenica, a ‘safe’ area - reconstruction, background, consequences and analyses of the fall of a safe area’, 2002.

⁹⁹ Ministerie van Algemene zaken, 16 april 2002.

¹⁰⁰ NRC, January 12, 2010.

¹⁰¹ Raad voor Maatschappelijke Ontwikkeling (‘Council for social development’), Ossewaarde 2006a. Cf.

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argues that in the first decade of the twentieth century, a so-called ‘shift in governance’¹⁰² took place, i.e. a shift from a classical conception of government to governance, which redefines the relationship between the state and its citizens. In a programmatic document, the Cabinet expressed its view that ‘the government must realize that, with the exception of a few traditional public tasks like law enforcement, in the twenty-first century it is only one of the actors in our complex society’.¹⁰³ During the development of the Dutch *Rechtstaat*, citizenship used to be primarily a juridical status, as an effect of the granting of political, civil and social rights. Under the Cabinet Balkenende II citizenship has been redefined as ‘civic responsibility’ (*eigen verantwoordelijkheid*, literally: taking one’s own responsibility). It describes active citizenship as co-responsibility for implementing government policies or citizens’ ‘active cooperation in the realization of national policy objectives.’¹⁰⁴ As a governance actor, the Cabinet no longer regards its task as the compliance of laws and legal rules in order to protect citizens’ legal status, but instead as the enforcement of public morals.¹⁰⁵ The shift in governance thus combines de-regulation, that is, the radical withdrawal of the government from politics and society, with moralization of the public sphere, on the one hand, and of individual citizens, on the other. The first is expressed in the primacy of civic responsibility; the second in the principles of good or decent citizenship, which means being trustworthy partners of the government. This new design of the relationship between the Dutch government and its citizens entails a new social contract.¹⁰⁶ It is a social contract since it ‘initiates new policies that deliberately aim to shape or create ‘good’ or ‘active’ Dutch citizens in a complex society, in a response to the threat to the social order in the post-industrial society of plural nationhood.’¹⁰⁷ Notice that this is in fact a vertical rather than a horizontal contract, since the Cabinet defines how citizens

Ossewaarde, 2006b and 2007 and two interviews: Ham, 2006 and Baars, 2007.

¹⁰² Ossewaarde, 2007, 491.

¹⁰³ Nederlands Kabinet, 2003, 11; translation R. Ossewaarde.

¹⁰⁴ Ossewaarde, 2006b, 491.

¹⁰⁵ For example in the programme ‘Andere overheid’ (‘Other government’) of the second cabinet Balkenende (2003-2006).

¹⁰⁶ A common feature of all complex societies, this shift in citizenship is not unique to the Netherlands, Ossewaarde argues. However, it is of particular interest, ‘because of the essential role of social citizenship in Dutch identity. The Dutch welfare state was thought to be a major achievement of national solidarity and the shift in citizenship therefore affects the Dutch identity, generating – more than anywhere else – disillusionment with recent governments. The Dutch appear to struggle with their new political identity and, as some research reports show, are afraid of losing national identity as they have known it. This is testified by, for instance, the recent political violence (political assassinations, political death threats, violence against Islamic schools and mosques), the Dutch ‘no’ to the European Constitution and the rise of new political parties.’ (Ossewaarde, 2006b, 492).

¹⁰⁷ Ossewaarde, 2006b, 510-11.

should act and behave.¹⁰⁸ In other words, it is about rule, rather than participatory citizenship.

By moralizing the public domain, the government strives to make citizens' behavior comply with its policy standards of desirability. Civic responsibility is not seen as an end in itself but as a means towards the realization of policy aims. In the case of indecent citizenship, the government may intervene at any moment, not in order to uphold the law, but instead to protect public morals and decency. The notion of civic responsibility the Cabinet applies here, Ossewaarde argues, is in fact a 'post-traditional' one. 'Traditional' civic responsibility, as formulated in the republican tradition, which is also one of the main sources of inspiration for Arendt's work, used to be defined as the active exercise of responsibility in which citizens act in concert and decide themselves about the ends they pursue. Citizenship, responsibility and freedom, in the double sense of positive public participatory freedom and negative freedom from domination or rule, in fact go together. This is what Arendt calls action and its result power. 'Post-traditional' responsibility, on the contrary, is directed to making citizens account for their conduct in relation to the government, which controls and surveils their behavior. This conception of responsibility comes close to teaching social skills and good manners in the service of the maintenance of smoothly functioning and pleasant social relations and probably even to conformism.¹⁰⁹ Since the government, rather than citizens themselves acting in concert, defines the outcomes of good citizenship, moralization is in fact a mere instrument of control over its citizens in the service of policy aims which citizens have not formulated. The Cabinet attempts to guarantee these outcomes by means of control, surveillance and monitoring. An example of the concrete shape civic responsibility may take in the sphere of security policy, is the establishment of anonymous tip lines that spur neighborhood residents to become supervisors in the service of the police. Less repressive examples of control and disciplining include the stress the Cabinet puts on volunteering and informal care arrangements, 'mantelzorg', and on integration.¹¹⁰ Citizens are not addressed as ζῶον πολιτικόν, but as consumers demanding convenience, safety and security.

The ideology of civic responsibility in fact only serves to reinforce national sovereignty, on the one hand, and to conceal major cuts in public expenditure as a

¹⁰⁸ See chapter 2 on the difference between a horizontal and a vertical social contract and on Arendt's preference for the first.

¹⁰⁹ As a positive exception, Ossewaarde mentions the WMO (Wet Maatschappelijke Ondersteuning), which is effective since January 1, 2007. Ossewaarde argues that this is one of the few policies that does not result from the urge to control but instead fosters civic responsibility as a virtue rather than a policy instrument. As such, it is an excellent example of what Arendt calls the ethos of *Amor Mundi*.

¹¹⁰ See n.57.

Conclusion

consequence of de-regulation under the guise of increasing citizens' freedom and autonomy, on the other hand.¹¹¹ Moralization, on the contrary, implies a loss of public freedom, Ossewaarde concludes.

Finally

Exercising the ethos of *Amor Mundi*, to be sure, does not mean that moral issues, for example euthanasia, abortion, gay marriage, etc., or natural or social concerns, such as poverty or the payment of excessive bonuses in multinational companies, cannot be the topic of political speech from Arendt's perspective. It is quite possible to discuss moral and social issues in a political way, that is, through public debate about their meaning and stakes. It is not the content or substance, but our interpretations, practical dealings and solutions which determine what is a moral, social or political question or issue. This means a particular problem may be discussed in a moral, social or political way.¹¹² Social discussions reduce issues to instrumental concerns that should be solved as efficiently as possible; political debate on the contrary concerns the meaning of issues.

The previous examples of the undermining of the *Rechtstaat* and the moralization of politics are sad examples of what Arendt would call world alienation. As soon as safety, security, convenience and health, in short, life itself, become absolute and unquestioned values, the political is replaced by the social. And as soon as conscience, norms and values, and educating and disciplining citizens become the prime objects of concern of governments, politics becomes moralistic. In both cases, which are largely intertwined, we see a withering away of the common, public world that is, the very condition of our freedom. Critical, independent and pluralistic media committed to truthfulness and hearing all sides, as well as citizens' initiatives confronting civil rights violations and maintaining the institutions of the *Rechtstaat* that attribute human beings masks of legal personality and provides them with the distance that the world puts between us might serve as an antidote against the world-alienating tendencies of *Contemptus Mundi* and *Amor Hominis*.

¹¹¹ Ossewaarde, 2006b, 510.

¹¹² I elaborated this argument in chapter 8.

