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Dealing With Histories of Oppression: Black and Jewish Reactions to Passivity and Collaboration in William Styron's *Confessions of Nat Turner* and Hannah Arendt's *Eichmann in Jerusalem*

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**DEALING WITH HISTORIES OF
OPPRESSION: BLACK AND JEWISH
REACTIONS TO PASSIVITY AND
COLLABORATION IN WILLIAM
STYRON'S *CONFESSIONS OF NAT
TURNER* AND HANNAH ARENDT'S
*EICHMANN IN JERUSALEM****

*David Abraham** and Kimberly A. McCoy****

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I. INTRODUCTION

The 1950s and 1960s have witnessed the growth of a literature [of which *The Confessions of Nat Turner* by William Styron is a part]—notably that produced by Hannah Arendt and Bruno Bettelheim—insisting that oppressors . . . succeed in *making* their victims over into the image which rationalized the efforts at victimization in the first place.¹

Since the publication of William Styron's *The Confessions of Nat Turner* in 1967 and Hannah Arendt's *Eichmann in Jerusalem: A Report on the Banality of Evil* in 1963 and, in the aftermath of the cultural strife they simultaneously reflected and aggravated,² American society and historiography have both changed and not changed. Given the success and power of the American Jewish community today, as well as its ideological commitments, it is *difficult* to take ourselves back thirty-five years when matters were surprisingly different. Given the turmoil and distress that afflicts Black America and the ideological debates taking place among African-American intellectuals to-

1. Herbert Aptheker, *Slavery, The Negro and Military*, 46 POLITICAL AFFAIRS 36, 42 (1967) (emphasis added).

2. As we shall see, both Styron's novel and Arendt's report unleashed massive and lengthy controversies. The literature prompted by the Eichmann trial and the Arendt book is cataloged in RANDOLPH BRAHAM, *THE EICHMANN CASE: A SOURCE BOOK* 141-74 (1969); see also Pinina Lahav, *The Eichmann Trial, the Jewish Question, and the American Jewish Intelligentsia*, 72 BOSTON UNIV. L. REV. 555, 568 (1992) (discussing the aftermath of Arendt's work); ELISABETH YOUNG-BRUEHL, *HANNAH ARENDT: FOR THE LOVE OF THE WORLD* 349 (1982). The Styron controversy and the work it produced are discussed generally in ALBERT E. STONE, *THE RETURN OF NAT TURNER: HISTORY, LITERATURE, AND CULTURAL POLITICS IN SIXTIES AMERICA* (1992).

day, it is surprisingly *easy* to identify and understand the positions of thirty-five years ago.

On one side, we see a tremendously successful and secure American Jewish community, deeply wed politically and ideologically to the principles of universalism, objectivism, and merit. At the core of the organized Jewish communal belief system today stands support for the State of Israel and the mobilized collective memory of the Holocaust.³ Effectively organized and present in politics, economics, and the cultural-ideological spheres, Jewish community leaders worry most about whether it's all too good to last: intermarriage, a sign of acceptance, is the chief threat to its welfare.

On the other side, we see an African-American community struggling and suffering in the United States. It is a community still deeply ill at ease with its history of disablement and oppression under American slavery and its political and socioeconomic consequences. For the most part, its intellectuals today are deeply committed to principles of special recognition, a diversity of cultural epistemologies, the impossibility of objectivity and, occasionally, the proposition that understanding itself is race-based. Historical pathologies continue; they are mitigated in a significant number of ways, exacerbated in others.⁴

Today, alas, these two communities, who thirty-five years ago were loosely allied politically as underdog communities seeking equality and rights, often stand in sharp political conflict.⁵ A 1963 image is powerful, even if perhaps transient: Berlin refugee Rabbi Joachim Prinz—at that very time involved with both the

3. See Lahav, *supra* note 2, at 559-60 (discussing the emergence of these two icons in the context of the Eichmann trial).

4. See generally ORLANDO PATTERSON, *BLACK AND WHITE* (1997); cf. ANDREW HACKER, *TWO NATIONS: BLACK & WHITE, SEPARATE, HOSTILE, UNEQUAL* (1992); DERRICK BELL, *FACES AT THE BOTTOM OF THE WELL: THE PERMANENCE OF RACISM* (1992).

5. See generally Nancy L. Green, *Blacks, Jews, and the "Natural Alliance": Labor Cohabitation and the ILGWU*, 4 *JEWISH STUDIES* 79, 80 (1997); Clayborne Carson, *Blacks and Jews in the Civil Rights Movement*, in *JEW IN BLACK PERSPECTIVES* 113 (Joseph Washington ed., 1984) (discussing "Afro-American-Jewish radical culture"); Jonathan Kaufman, *Blacks and Jews: The Struggle in the Cities*, in *STRUGGLES IN THE PROMISED LAND* 107 (Jack Salzman & Cornell West eds., 1997).

books under discussion here—reviewing events of the 1930s in Europe while introducing Reverend Martin Luther King, Jr. in front of the Lincoln Memorial during the great Civil Rights March on Washington. Nonetheless, the distance from 1933 to 1963 is now less than that from 1963 to today, and relations between the two communities soon turned competitive and sour.⁶

Beginning as early as the aftermath of the Six Day War (itself now thirty years ago), Black intellectuals began to break with Jewish allies and universalist ideological models. Following the urban riots of 1968, communal relations between the two groups deteriorated sharply. Jewish small businessmen and service class professionals, especially teachers and social workers, came to be widely viewed as the adversaries and competitors of Blacks, rather than their allies. It was a gulf that King and his supporters, like the new left movement of the time, had difficulty bridging. By the time of the 1973 Mideast War, Black intellectuals were more likely to see their lot like that of both Israel's victims and foes rather than that of the Jews. Today, Black writers routinely use the word "holocaust" to describe their situation. Toni Morrison, for example, dedicates her book, *Beloved*, to the "60 Million and more" victims of the African holocaust.⁷ For their part, American Jewish organizations and Jewish literati did at least their fair "quota" to impair community relations.⁸ In the course of so doing, they honed an universalist objectivism often not applied to themselves.

6. See Jonathan Kaufman, *Blacks and Jews: The Struggle in the Cities*, in STRUGGLES IN THE PROMISED LAND 107, 107 (Jack Salzman & Cornell West eds., 1997) ("For twenty-five years, America's cities were the testing ground, and then the battle ground, for Blacks and Jews as they moved from cooperation to confrontation to competition and conflict."). Kaufman describes the Ocean-Hill Brownsville teachers' strike as "the first place the conflict between Blacks and Jews erupted into open hostility." *Id.* at 112; see also, Jerald E. Podair, "White Values," "Black Values:" *The Ocean - Hill Brownsville Controversy and New York City Culture, 1965-1975*, 59 RADICAL HISTORY REVIEW 37, 50-53 (1994); JULIUS LESTER, *LOVESONG: BECOMING A JEW* (1988); MURRAY FRIEDMAN, *WHAT WENT WRONG? THE CREATION AND COLLAPSE OF THE BLACK-JEWISH ALLIANCE* (1995).

7. TONI MORRISON, *BELOVED* iii (1987).

8. See James Baldwin, *Negroes Are Antisemitic Because They're Anti-white*, in ANTISEMITISM IN THE UNITED STATES 125, 127 (Leonard Dinnerstein ed., 1971).

In fact, Jewish response to Arendt's *Eichmann in Jerusalem* was very "Black," a point captured in legal scholarship by Randall Kennedy. In his highly regarded and much criticized article, *Racial Critiques of Legal Academia*,⁹ Kennedy underscores that "it [was] as if *Eichmann in Jerusalem* had required a special pair of Jewish spectacles" to be understood properly.¹⁰ For the Jewish intelligentsia, the Arendt episode was the last instance, or at least an atypical instance, of the kind of defensive cultural politics for which *The Confessions of Nat Turner* became emblematic for African-American intellectuals. Those politics, now generally criticized in many Jewish intellectual circles as provincial identity politics, are politics from a position of coming-out weakness. Arendt's abstract cosmopolitan humanism was, or has become, something like the norm for American Jewish politics and ideology while, for Blacks, empathic contextualized historicism is significant.¹¹

The 1960s were a critical decade in the formulation and alteration of minority consciousness and self-consciousness in the United States. It was largely in the Sixties that the movement for civil rights for Negroes became the Black liberation strug-

9. Randall Kennedy, *Racial Critiques of Legal Academia*, 102 HARV. L. REV. 1745 (1989); see also *infra* note 60 and accompanying text.

10. *Id.* at 1789 n.197 (concurring with the gentile writer Mary McCarthy).

11. Consider, for example, the following proposition from Richard Cohen: "[T]hey deny the outsider's ability to penetrate into their experience, perceiving that only someone who has experienced a similar event can reach the depths of true understanding." Richard Cohen, *Breaking the Code: Hannah's Arendt's Eichmann in Jerusalem and the Public Polemic*, 13 MICHAEL: ON THE HISTORY OF THE JEWS IN THE DIASPORA 30, 48 (1993). While this is apparently an apt description of trends such as Critical Race Studies, it is in fact also a comment on the prevailing Jewish reception of Arendt's *Eichmann*. See *id.* See generally Daniel A. Farber & Suzanna Sherry, *Is the Radical Critique of Merit Anti-Semitic?*, 83 CAL. L. REV. 853 (1995) (arguing that attack on merit as a political concept is *de facto* anti-semitic in its consequences); DANIEL A. FARBER & SUZANNA SHERRY, *BEYOND ALL REASON: THE RADICAL ASSAULT ON TRUTH IN AMERICAN LAW* (1997) [hereinafter Farber & Sherry]; Neil Lewis, *For Black Scholars Wedded to Prism of Race, New and Separate Goals*, N.Y. TIMES, May 5, 1997, at B9 (reporting rise of race-based epistemologies); Frank Wu, *From Black and White and Back Again*, 3 ASIAN L.J. 185, 215 (1996) (criticizing Farber & Sherry's "radical critique of merit").

gle.¹² Whatever the different philosophies and strategies may have been, it is clear that an irreversible militance and self-assertion had become generalized in the Black community and has remained, perhaps especially, acute amongst its intellectuals and literati.

A different kind of militance and self-assertion, however, took hold of the Jewish community. The liberal-universalism, which had been a hallmark of the American Jewish intelligentsia, was proving inadequate in the face of a host of challenges and anomalies having roots in both the United States and in the Middle East. It was precisely in the midst of one such upheaval in consciousness that William Styron published his novel; it was fairly early on in the other when Hannah Arendt published her treatise qua reportage.¹³ In both instances, the criticisms elicited from Black and Jewish intellectuals said a great deal about the attitudes, values and orientations of the different sectors of these two communities, toward the past and the future, toward history and politics.

It is these reactions and their implications in and for public policy, which this paper will explore. I will analyze, in historical perspective, the reaction of each community through a prism of six problems, foci or variables around which Blacks and Jews formulated positions on the Styron and Arendt works. While others might also prove illuminating, I have selected these six thematics because they seemed to emerge uppermost in the minds of those literati involved in the controversies. The first variable is the continuity or discontinuity of a people's past with its present. If the Blacks of 1967 are like the slaves of 1831, then those slaves simply cannot have been passive or collaborationist. Similarly, if the Jews and Jewish leadership of 1963 are like those

12. See Clayborne Carson, *Black-Jewish Universalism in the Era of Identity Politics*, in *STRUGGLES IN THE PROMISED LAND* 177, 190 (Jack Salzman & Cornell West, eds., 1997) (discussing the rise of Black militancy and Jewish responses).

13. See generally WILLIAM STYRON, *THE CONFESSIONS OF NAT TURNER* (1967); HANNAH ARENDT, *EICHMANN IN JERUSALEM: A REPORT ON THE BANALITY OF EVIL* (Penguin Books ed., The Viking Press 1977) (1963). An abbreviated account of Arendt's report was published first in *The New Yorker*, February and March, 1963.

of pre-war and wartime Europe, then the latter could not have been passive and collaborationist either. If there is a radical discontinuity, then in the name of progress and security there must follow a forthright rejection of past experience and leaders, which only militant Zionists (who reject diaspora Jewish life as weak and inauthentic), radical assimilationists (who reject the particularity of Jewish life) and Black Muslim/back to Africa advocates (who feel the same way about African-American life) might endorse. Today, this rejection is found in certain niches of public ethnic-cultural life, represented at the extremes by figures such as Israeli West Bank settlers and African-American neo-conservative ideologists—all of whom insist that the past is over while acting dramatically against it and its cultural-political legacy.

Second, I will explore the distinction between private-experiential and universal-abstract history, i.e., authenticity and positionality for the weak and objectivity for the strong. Is understanding so esoteric that only authorized in-group members can empathize and understand? Is there a required degree of expertise and, if so, what constitutes it? Finally, are there property rights in the writing of history; does some history lie in a private rather than universal domain? Here, the focus is on attempts to define Arendt and Styron on various grounds as outside the acceptable universe of discourse.

The third theme is the need for and value of the heroic in dealing with the distress of the past and challenges of the present. With a recent history so painful, the need to salvage the heroes and restore maligned victims is understandable. A conflict between honesty and reappraisal and the reluctance to air dirty laundry in public may be inevitable. However, self-criticism and the need to present a solid front inevitably collide. The position most frequently put forward in the two controversies tended to place a premium on heroism and the solid front, a decision based, in no small part, on the need for politicizing symbols.

Fourth, this essay examines the simplicity or complexity of human agency. Must history be simple or complex; does one avow clarity or agnosticism? As articulated by most Black critics of Styron, the virtue of simplicity lay in its power to mobilize and

energize large numbers of people. The use of simplicity and complexity by the Jewish critics of Arendt was more ambiguous and ambivalent. They considered Arendt's complexity a mystification, yet supplied a complexity of their own designed to make more difficult the attribution of blame to the European Jewish leadership.

Fifth in our analysis, is a discussion of whether the writer's primary concern out to be the perpetrators, the source of evil (slavery; Nazi totalitarianism) or the victims of it (slaves; Jewish communities). Should analysis concentrate on the oppressors and their systems—slavery and totalitarianism—or on the oppressed and their perceptions? The consequences are important, for there is a choice between appreciating the strength and resources of the oppressor and the heroism and tenacity of the oppressed. The bulk of both groups of critics were compelled to adopt the latter position.

Finally, I will discuss the disruption or reinforcement of evolving communal political strategies. While the terms "separatist" and "integrationist" do not convey the full dimensions of the choice involved, they represent polar positions. Are security and progress to be achieved through unity and closure of the group or through embracing the progressive in the world at large? Influenced largely by their beliefs in the permanence and pervasiveness of anti-Semitism and racism, most of Arendt's and Styron's critics favored some form of unity and closure of the group and were willing or eager to accept or proclaim the political consequences.

In the end, an analysis of these variables brings to light the irony that American Jews today, for the most part, are hostile toward "ethnic epistemologies" and believe in universalist objectivity¹⁴ while thirty years ago, while they were feeling less secure in America, American Jews adopted a defensive cultural nationalist position in the Arendt affair very similar to that of African-Americans in the Styron affair whose defensiveness, for the most part, persists.

14. See Farber & Sherry, *supra* note 11, at 69.

II. THE LITERARY-CULTURAL LANDSCAPE OF THE 1960'S

In 1967, after spending a number of years brooding over and investigating the 1831 Virginia slave revolt led by Nat Turner in which over 100 whites were killed, William Styron published his contribution to what he called "a common history" of the white and non-white people of America.¹⁵ *The Confessions of Nat Turner*, however, appeared too late to be considered the beginning of a common history. Despite the substantial, well-orchestrated hoopla which accompanied its publication and the near-unanimous praise of the novel by white critics and historians including C. Vann Woodward, Martin Duberman, and Eugene Genovese, the Black intelligentsia evinced a near-unanimous rejection of the novel, its political and social assumptions, and its author. As was still true of America at the time, with only one exception, no mass circulation forum offered a review written by a Black author.¹⁶ For most Black intellectuals, 1967 proved too late for William Styron's liberalism; it was too late for a white southerner to explore the shared universal complexity of passivity, suffering, rebellion, and redemption.

James Baldwin, erstwhile friend of Styron's, was himself already under attack for his support of Styron's work, as well as for his moderate and integrationist stances. For Blacks, 1967 was a year of nationalism and urban insurrection. That year witnessed over a dozen rebellions, including major insurrections in Newark and Detroit. It was a year that witnessed the further erosion of the "moderate" position of civil rights leaders and their integrationist stance. H. Rap Brown, Stokely Carmichael, Le Roi Jones and a host of other lesser nationalist figures sup-

15. See generally STYRON, *supra* note 13, at xxiii-xxv, xxxviii (this book represents a continuation of the grim division that has defined racial relations in this country).

16. The exception was John Hope Franklin. See John H. Franklin, *A Meditation on History*, BOOK WEEK, Oct. 8, 1967, at 1 (Book Review); see also Albert Murray, *A Troublesome Property*, NEW LEADER, Dec. 4, 1967, at 18-19; Richard Greenleaf, *Styron's Anti-Negro Novel Is Libel on Nat Turner*, WORKER, Oct. 8, 1967, at 5. Except for Franklin's review, however, none of the other titles can be considered mass-circulation forums.

planted the older moderate integrationists. Black fists and cries of "Black Power" replaced the earlier portrait of Negroes and whites together singing "We Shall Overcome." Highlighting the emerging strength and legitimacy of Black nationalism was the support and participation of the Black intelligentsia. On several college campuses, Black students sought Black, Afro-American and African Studies programs to be taught by and for Blacks. In several instances, separate living quarters were demanded and, in at least two cases, Black students demanded the right to armed self-defense.¹⁷ If the times were propitious for a Nat Turner, they were certainly inauspicious for a William Styron. In sharp contrast to the turbulence within the Black community at the time they received William Styron's work in 1967, the Jewish community might seem now to have been a placid and satisfied community. Although one might now posit a dynamic in the American Jewish community that must have been at work then, it seems that if not somnolent and self-satisfied, the American Jewish community was nevertheless thinking primarily in terms of assimilation, stability, and prosperity: the Judeo-Christian melting pot success. The recent "dark period" was beginning to slip into the back of the Jewish mind. Except among the immigrant survivors themselves, very few American or Israeli Jews showed signs of caring.¹⁸ The suburbs were more a fo-

17. For articles discussing the disturbances at Cornell University, see Homer Bigart, *Peaceful Sit-in at Cornell Ends New Seizure Threat*, N.Y. TIMES, Apr. 23, 1969, at 1; Peter Kihss, *20% at Cornell Approve of Violence*, N.Y. TIMES, Oct. 27, 1969 at 22; see also Susan Brownmiller, *Return to Mississippi: The Summer of Our Discontents*, VILLAGE VOICE, July 19, 1994, at 33.

18. For Israel, see Idith Zertal, *The Bearers and Burdens: Holocaust Survivors in the Discourse of Zionism*, 5 CONSTELLATIONS 283, 283 (1998) ("[A]lthough the new state saw itself as the spiritual and political-material heir of the Holocaust victims, the historical event itself and the direct bearers of its memory—the survivors—were almost totally repressed and erased from public discourse and the official sphere in the first decade of the statist period. It was heroes, not victims', time. It was as if the leaders of the new state, the shapers of the national political culture, were terrorized by the potentially devastating effect those victims/survivors could have on the fragile Zionist souls produced by the Zionist revolution, and thus made every possible effort to create a complete divorce between the Zionist ethos and the abhorrent recent past."). For the U.S., see PETER NOVICK, *FROM SILENCE TO SANCTITY* ch. 3-5 (1999).

cus of Jewish interests than the East European *shtetl*. In retrospect, one might say that America's Jews were mostly trying to *forget* the recent exterminations or that they had not yet thought of remembering them, let alone making the Holocaust an icon.¹⁹ A large segment of the Jewish intelligentsia was engaged in proving how "America is different," and those who were not, generally Zionists, often found themselves on the defensive.²⁰ Israel was very far from being the common commitment of American Jewry that it is today. Those were days when the prim and proper Abba Eban, the consummate Anglo, traveled the U.S. far and wide to eat rubber chicken on behalf of the fledgling state of Israel in sparse synagogue assemblies. Assimilation was the order of the day.

Problems of discrimination were manifest and frequent, but they were amenable to solution by means of a universalistic liberal ethic: America would be better for Jews, the more secular, liberal, and pluralist it was for all Americans. Fears and doubts about living in a secularizeable America seem to have been submerged, and few of the plethora of Jewish organizations were committed to specifically Jewish goals. But, if the Jews did not have a Watts to look at and a Harlem to think about, they did have a Williamsburg to remind them of their marginality and vulnerability. Jewish intellectuals had become rather successful but, as products and guardians of their collective past, they frequently looked back over their shoulders and wondered.²¹ As for the still-recent murder of millions of fellow Jews in Europe, few had yet come to grips with the facts or their meaning.²²

19. See generally MAURICE HALBWACHS, *ON COLLECTIVE MEMORY* (1992).

20. See Lahav, *supra* note 2, at 563 (discussing whether the world should view Israel as a first or third world country in the Eichmann Trial context and the decision's implications for international bases of jurisdiction over Eichmann); see also Rostow, *infra* note 89 (Rostow considered the kidnapping of Eichmann an international crime).

21. The oeuvre of Irving Howe is probably the best landmark of this era. See generally IRVING HOWE, *WORLD OF OUR FATHERS* (1976).

22. Thus, for example, the path-breaking work of RAUL HILBERG, *THE DESTRUCTION OF THE EUROPEAN JEWS* (1961) was published after the Eichmann Trial, see *infra* note 27, and accompanying text.

III. THE AUTHORS AND THEIR PERSPECTIVES

Before proceeding to an examination of the issues involved in the critical response to each of the two works introduced above, let us describe most briefly what each critical community believed it had read in each offending work. In writing his novel, Styron sought to enter into the world of the "Negro" next to whom he had grown up in Tidewater, Virginia—Nat Turner's hometown. Styron had apparently hoped that with his "meditation on history" he could explore the past in such a way as to build a common future. Arendt's relationship to her topic and readership was quite different, if no less confusing.

Steeped in German high philosophy, Arendt left Germany in 1934 and came to the United States from France in 1940. Her critics were to say that she had just enough contact with Nazism to give her confidence in her errors. More relevant, perhaps, to the alignments in the controversy she stirred was her status as a turncoat or renegade. Once a Zionist, she could not reconcile herself to what she felt to be its particularism and its dependence on anti-Semitism, and she rejected it in a bitter abjuration.²³

While it is not possible to say that the controversy over Styron's novel has changed the course of the history of slavery, it is likely that the controversy helped to precipitate a change in sensibilities regarding "property rights" to certain aspects of it. This is not to say that a consequence of the Styron controversy has been the legitimization of tendentious history for Blacks or a bar to white discussion of slavery. Rather, it is fairly clear that no one could make Styron's mistake again; greater degrees of deference, caution and circumspection were thereafter expected. Universalism was rendered a bit suspect.

The barrage of criticism which greeted Arendt's book continued for years, and there is little doubt that holocaust history, of which there was little in English before her, has not been the same since. In the succeeding years, a mushrooming of holocaust literature occurred, especially on the popular level and

23. In publishing her anti-Zionist recantation, "Zionism Reconsidered," Arendt committed the sin of going outside Zionism and attacking it from the ranks of the organized opposition. See generally Hannah Arendt, *Zionism Reconsidered*, 33 *MENORAH JOURNAL* 162-96 (1945).

much of it initially was intended to counter her analysis and theses.

Styron's "meditation on history" was about heroes and rebels, or at least one hero and his rebellion. It purported to deal with one of the glorious episodes in the history of Blacks in bondage. To his critics, the chief flaw in Styron's book, whatever his subjective intentions may have been, was the presentation of a hero as unheroic: weak, vacillating, dependent on, as well as hateful towards, whites who were lascivious and ready to betray one another. Black slaves were depicted, it seemed, as both complacent in their own oppression and by themselves incapable of overcoming it. They were, perhaps, to be pitied, but arguably unworthy of respect.

Using as a point of departure his own life as a devout white Christian southerner, the literature on slavery, and the scant historical record on the slave Nat, Styron presented a characterization of the plantation milieu, slavery, Nat Turner and his rebellion. The most contested and explosive points were: (1) that slave rebellions, abortive as well as actual, were extremely infrequent in the slave south; (2) that the formal or material cause of Nat's rebelliousness was his religious fanaticism and sexual neuroses; (3) that Nat's literacy and, in part, his consciousness were achieved through interaction with whites; (4) that Nat's family played a very minimal role in his development (he had children but no wife); (5) that Nat's attitude toward white women was marked by lust and adoration; (6) that fellow slaves generally earned only his contempt and scorn; (7) that his rebellion was marred by a certain incoherence and disunity, in part attributable to deficient and quarrelsome leadership, in part from a respect for masters, and; (8) that Nat's fellow slaves played a crucial role in betraying and putting down the rebellion. It was all very tragic and, perhaps sympathetic, but if so, not in a very useful way.²⁴

Arendt's journalistic history and political-philosophic treatise, at least as it will concern us here, was importantly about victims and their organizations. It dealt with the saddest episode in the history of the Jews. For her Jewish critics, the chief flaw in Ar-

24. See generally STYRON, *supra* note 13.

endt's book was the presentation of victims implicated in their own destruction and an assortment of leaders and leadership organizations culpable by virtue of acts of commission. They were, perhaps, to be pitied, and like Black slaves, ultimately unworthy of respect.

Largely similar factors had determined the various interpretations of and reactions to the characterization of Jewish behavior put forward by Arendt. The most contested points in her characterization were: (1) without the collaboration of the Jewish leadership, the Nazis would never have succeeded in murdering five to six million Jews; (2) this collaboration was "the darkest chapter of the whole dark story;"²⁵ (3) relationships and dealings between Zionist leaders and Eichmann were frequently mutually satisfactory; (4) the Jewish Councils, *Judenräte*, enjoyed their new powers under the Nazis and did the organizational work without which the Final Solution could not have been implemented; (5) the Israeli conduct of the trial—especially insofar as it was in *Ostjude* rather than *Yeke* hands—was blatantly political, seriously deficient philosophically, and legally flawed, and; (6) that the new, totalitarian evil that had unleashed it all was essentially banal. The last two issues will not enter into our discussion although it is clear that Arendt's harsh and condescending characterization of Adolph Eichmann's trial in Jerusalem²⁶ did not serve to buttress her thesis, especially amongst Zionists, some of whom might otherwise have found reason to concur in some of her contentions about diaspora Jews.

As the critics were quick to note, each of the two works relied heavily on scholarly theses that, during the period at which oppression was at its peak, there was very little, essentially harmless rebellion combined with a significant and substantial degree of passive and even active collaboration with the oppressor.²⁷

25. ARENDT, *supra* note 13, at 104.

26. See generally Attorney General of Israel v. Eichmann, 36 I.L.R. 277 (S. Ct. Israel, 1962).

27. Styron's sense of slave history came largely from STANLEY M. ELKINS, *SLAVERY: A PROBLEM IN AMERICAN INSTITUTIONAL AND INTELLECTUAL LIFE* (1st ed. 1959). Arendt drew heavily on 1 RAUL HILBERG, *THE DESTRUCTION OF THE EUROPEAN JEWS* (1961). Both Elkins and Hilberg owed much to the psychological theories of Bruno Bettelheim,

Viewed beneficently, the effect of both of these works was to illustrate and highlight the *structural and psychic* debilities suffered and endured by the oppressed Blacks-become-Sambos and the diaspora, *galut* Jews become passive obedient. But, viewed less beneficently, the effect in each case was to denigrate and defame the behavior not only of leadership elements, but of the entire people as well.

IV. FOCI OF THE DEBATE

The following discussion, comprising the bulk of the analysis here, describes the positions taken by both the Black and Jewish communities in response to the publication of Styron's and Arendt's controversial works. Each aspect of the response, while manifestly historical in tone, brings the recent debate into sharper focus. As we shall see, these six bundles of controversy also provided the foundational arguments for recent debates over race relations between the Black and Jewish communities as well as highlighting the tensions between two progressive legal traditions, universalism and multiculturalism.

A. *Continuity or Discontinuity of a People's Past With the Present*

Most Black critics saw in Styron's portrait of Nat Turner a degradation of themselves. Because Black people are now as they were then, Styron's presentation became inaccurate, wrong, untrue and intolerable. Rather, nobility, strength, determination, militance and heroism are characteristics not only of current Black leaders and the modern Black persons but of all Blacks throughout their American experience. For a host of reasons, Styron sought to obscure and deny Nat Turner any

see *infra* note 36 and accompanying text. As we shall see, Elkins explicitly theorized the similarity between the slave and concentration camp experiences. Raul Hilberg may have meant to underscore the structural weakness of Jewish location and history in host societies, see HILBERG, *supra*, while Stanley Elkins may have intended to emphasize the effective cruelty of American slavery, see ELKINS, *supra*. In fact, Elkins explicitly drew on the Nazi ghetto and concentration camp as an analogue to account for the breaking of the spirit of American slaves and the creation of the "Sambo personality." See *id.* at 242.

heroism and goals, thereby dismissing the heroism and goals of the 1960s struggle. By imputation at least, Styron too was aware of the continuity of the Black people and its struggle, and yet he sought to quell their assertiveness by defaming its progenitors.

Critics railed against Styron's depiction of Nat Turner. In the view of the Black writers examined here, Turner holds the highest rank in Black history, and his position therefore could not be undermined. There could not have once been a Sambo type; if there were Sambo types a century and a half ago, then there may be Sambo types today, and that is unacceptable. Styron's critics were perhaps willing to accept that Uncle Toms (traitors) might exist; but Sambos, (the passive masses), never. Black racial pride may not be undercut by the acknowledgment that there was once a time when Blacks were passive and collaborationist. According to the logic of most of Styron's critics, what was revolutionary in the Black community of the Sixties was the *extent* of active struggle against oppressive America, not any sort of change in the nature or attitudes of the Black people.

Malcolm X and Stokely Carmichael had full precursors in the nineteenth century, and Nat Turner was one of them. Just as Malcolm X emerged from and was representative of the Black masses, Turner must have also emerged from and represented the stealthy slave masses, rather than emerging from among the ranks of the most pampered of slaves and despising his fellow slaves while wanting to love white women.

Not only did Styron's critics reject the so-called Black-bourgeoisie of their own day and earlier, but they also refused to acknowledge that revolutionary leadership may not have come from the most oppressed. Just as the body of Black leadership of the late 1960's could brook no substantial internecine conflicts, Nat Turner cannot have experienced a major conflict with one of his lieutenants. Deprecation of Nat Turner was seen, in short, as deprecation of the Black movement. Lerone Bennett observed that Styron was "trying to escape the judgment of history embodied in Nat Turner and his spiritual sons of the twentieth century."²⁸

28. Lerone Bennett, Jr., *Nat's Last White Man*, in WILLIAM STYRON'S NAT TURNER: TEN BLACK WRITERS RESPOND 3, 4 (John Henrik Clarke ed.,

In reviving Sambo, Styron's critics charged that he fled from the truth of the Black experience. The revolutionary mentality was, and is, typical amongst Blacks whereas Styron tried:

[T]o create the impression that . . . Nat Turner was some kind of freak among his brethren . . . Nat Turner must be seen in the . . . revolutionary context, to be properly understood, and to properly understand what is happening [today] in the . . . urban areas. There are thousands of Nat Turners in the city streets today . . .²⁹

Styron's critics rejected him because he rejected the Black experience, past and present, or at least refused to see the Black present in the Black past. Thus Ernest Kaiser remarked that, "[h]aving rejected the Negro people's history, Styron cannot see Turner as the hero he was and as the Negro people see him; as a slave who led a heroic rebellion against the dehumanization of chattel slavery."³⁰ Styron was impervious to Negro social struggle and the facts of Negro history.³¹

In his refutation of the then-orthodox Marxist Eugene Genovese's defense of Styron, Vincent Harding put the continuity of the Black experience into an even sharper relief. The contention that Nat Turner had to be unearthed was tragicomic:

Nat Turner continued to live . . . long before William Styron was born, [and] very long before Eugene Genovese became an expert on the "living traditions of Black America" . . . We look at the men and women who are our grandparents and great grandparents and we recognize the strength, integrity, and endurance so many of them represent, in spite of American slavery (and in spite of Sambo), and we know immediately the subterranean life with all its power.³²

1968). See generally STONE, *supra* note 2.

29. John O. Killens, *The Confessions of Willie Styron*, in WILLIAM STYRON'S NAT TURNER: TEN BLACK WRITERS RESPOND 34, 41-43 (John Henrik Clarke ed., 1968).

30. Ernest Kaiser, *The Failure of William Styron*, in WILLIAM STYRON'S NAT TURNER: TEN BLACK WRITERS RESPOND 50, 57 (John Henrik Clarke ed., 1968).

31. See *id.* at 57-58.

32. Vincent Harding, *An Exchange on Nat Turner*, N.Y. REV. BOOKS, Nov. 7, 1968, at 32 (book review).

Since Black history and struggle are continuous, there could be no passivity and collaboration involved in Nat Turner's struggle. Whatever comfort Styron hoped to offer to white America was refuted by those following in the tradition of Nat Turner, those continuing to strike blows for freedom. This was clear to political scientist Charles V. Hamilton who wrote:

[B]lack people today cannot afford the luxury of having their leaders manipulated and toyed with. Nat Turner struck a blow for freedom; [he] was a revolutionary who did not fail . . . Black people . . . must not permit themselves to be divested of their historical revolutionary leaders. *The important thing is that the desire for human freedom resides in the Black breast as well as in any other.*³³

No substantial section of the Black population in this country has ever renounced its past. None of the changes in identity—colored, Negro, Afro-American, Black, African-American—entailed a specific repudiation of the past. Black Muslims have rejected the Christian element in their past, and some African-Americans have envisioned themselves as a super-proletariat, but no group of Blacks has attempted systematically to reject or turn its back on its past. The past has been dominated by oppression, but this is exclusively the fault of white America. There is no need to repudiate the Black past precisely because it has been so bleak. There has been nothing wrong with it except that it has been constantly exploited and victimized by white society.

In contrast, it is precisely because Jewish societies and communities have enjoyed long periods of security and prosperity, seemingly inevitably ending in persecution, that a wholesale re-examination and rejection of the past became a tenable possibility.³⁴ It is by no means true that Zionism constitutes a wholesale

33. Charles V. Hamilton, *Our Nat Turner and William Styron's Creation*, in WILLIAM STYRON'S NAT TURNER: TEN BLACK WRITERS RESPOND 73, 73-74 (John Henrik Clarke ed., 1968) (emphasis added).

34. This statement should not be taken as a sufficient explanation of the development of Zionism. I do think, however, that the up-and-down pattern in Jewish existence was a necessary factor in the development of Zionism in Europe. If, for example, Dreyfus had never become an officer and Herzl a newspaperman, then the latter would not have begun questioning the firmness of the Jewish position in Europe.

rejection of the Jewish past. In its radical, purely expressive form, it calls for a repudiation of the rootless and dependent existence lived by diaspora Jewry and their emigration to the land of Israel. This divorce from the European Jews and their history was accepted by the majority of native-born Israelis in the mid-sixties.

One of the several purposes of the Israeli government in staging the Eichmann trial was the desire to reunite Israeli youth with the Jewish past, a desire which long remained unfulfilled.³⁵ Israelis who would have been inclined to accept the Hilberg-Arendt theses on complicity and even cowardice, rejected the Arendt book because of her anti-Zionism and thorough-going criticism of the trial itself. Israelis had been largely willing to accept a similar attack on the diaspora social-psychology made a year earlier by Bruno Bettelheim in a Zionist journal.³⁶ For older Israelis, there was a deep ambivalence. That revolutionary element of Zionist ideology which calls for rejection of diaspora forms of social organization and social-psychology (the *galut*-mentality) is countervailed by the startling continuity in, and interlocking of, the various Jewish, Zionist and Israeli elites.³⁷

For non-Zionists and anti-Zionists, there is much less ambivalence; there is a unity and continuity in Jewish history and dispersion. Aspersions cast on the European Jewish leadership by Arendt are, therefore, potentially applicable to the American Jewish community as well. As successors in the same line, non-Zionists and anti-Zionists were duty bound to defend the European Jewish leadership and attack Arendt's charges of collaboration and acquiescence. Since non-Israeli Zionists who vary in

35. See Zertal, *supra* note 18, at 283; see also Eliezer Don-Yehiya, *Memory and Political Culture: Israeli Society and the Holocaust*, STUDIES IN CONTEMPORARY JEWRY 9 (1993).

36. See Bruno Bettelheim, *Freedom from Ghetto Thinking*, 8 MIDSTREAM 16, 16-25 (1962). Since Bettelheim believed the concept was applicable to all people, he called it "ghetto thinking." The usual term is "diaspora" or *galut* thinking. See *id.*

37. See generally J. J. GOLDBERG, *JEWISH POWER: INSIDE THE AMERICAN JEWISH ESTABLISHMENT* (1996); see also TOM SEGEV, *1949: THE FIRST ISRAELIS* (Arlen Neal Weinstein ed., 1986); TOM SEGEV, *THE SEVENTH MILLION: THE ISRAELIS AND THE HOLOCAUST* (Haim Watzman trans., 1993).

degrees of commitment, also share in the continuity of both Jewish history and elite structures, they were also offended by Arendt's allegations. Even more so in the early Sixties than today, for many American Jews the continuity of Jewish history was the only thread tying them to Judaism and the Jewish people, and it was this thread that led to their defense of the European Jews.

Since the abandonment, in the late 1950's, of Prime Minister David Ben Gurion's call for immediate, massive emigration from the United States to Israel, a kind of balance has prevailed in which non-Zionists have been able to support Israel without rejecting life in the diaspora. This agreement has further obscured the revolutionary element in Zionism and led to a blurring of the discontinuity in Jewish history brought about by Zionism and Israel to the advantage of European and American Jewish life and leadership and the hostility toward the Hilberg-Arendt theses. Thus, as it turns out, the only Jews Arendt did not offend were those who identified themselves primarily, historically and programmatically, with a broader Euro-American culture, centrist or leftist, in the formation and character of which there is no specifically distinguishing Jewish element.

For the distinctly anti-Zionist Oscar Handlin, the pernicious quality of Arendt's theses lay in their defamation and negation of Jewish history:

it was the intensity and character of the German occupation that determined how many would be sent to their doom . . . the degree of Jewish resistance made no difference whatever in the outcome By defaming the dead and their culture this interpretation completes the process of destruction begun by the Nazis, reducing [2000] years of experience to ashes and adding Jewish history itself to the list of the destroyed and the forgotten.³⁸

Were Arendt correct, the Zionists would have a point about *galut* Jewry and the indefensibility of diaspora life. Thus, though she herself was not advocating Zionism, Handlin sensed the extreme Zionist implications of her indictment.

A more frequent tack was the assertion that European Jews

38. Oscar Handlin, *Jewish Resistance to the Nazis*, 34 COMMENTARY 398, 399-400 (1962).

did resist and that Arendt, either through ignorance, malice or both, refused to acknowledge the heroism of the European Jews. This approach was taken by those Zionists, like John Gross and Gertrude Ezorsky who, in highlighting the resistance led by Zionists, sought to disprove Arendt's assertion that there was almost no resistance and that Zionist leaders cooperated with Eichmann.³⁹ By so doing, the actions of at least some European Jews could be squared with the Zionist conception of the Jew.

Lionel Abel also accused Arendt of ignoring the middle and upper class basis of the Jewish Councils, which resulted in their narrow, parochial, and limited outlook. Yet, when all is said and done, they too were Jews and Arendt's criticism that the Councils did not work for Jewish survival "is the one criticism which is inadmissible."⁴⁰ Even so, Arendt might have been able to succeed in a criticism of the frequently *ad hoc* Jewish Councils, but her extension of the charge to Jewish organizations and associations locally and internationally posed too great a threat to the integrity of the Jewish people and its leadership. What emerged was what William Phillips called "a snide, hostile tone toward organized Jewry."⁴¹

According to most of Arendt's critics, Jewish organizations, especially the Zionist groups but sometimes even the Councils, did all that was possible to save lives and, once Nazi intentions became clear, there was as much rebellion - almost always to no avail - as objective conditions, particularly the lack of any resources and support, permitted. Jews bravely engaged in the kinds of sabotage and covert resistance, which Kenneth Stampp has attributed to American slaves.⁴² Hannah Arendt's obsession

39. See John Gross, *Arendt on Eichmann*, ENCOUNTER, Nov. 1963, at 65; see generally Gertrude Ezorsky, *Hannah Arendt Against the Facts*, 2 NEW POLITICS 66 (1963).

40. Lionel Abel, *The Aesthetics of Evil: Hannah Arendt on Eichmann and the Jews*, 30 PARTISAN REVIEW 211, 228 (1963).

41. William Phillips, *More on Eichmann*, 31 PARTISAN REVIEW 278, 281 (1964).

42. See KENNETH STAMPP, *THE PECULIAR INSTITUTION OF SLAVERY IN THE ANTE-BELLUM SOUTH* 103 (1956). The author states that many southern slave owners described their slaves as a "troublesome property" because of their tactics of resistance. See *id.* at 86. Usually such actions consisted of work slow downs or false illnesses. See *id.* at 103.

with generalization led her to overlook this.⁴³ Finally, the non-Zionist's firm belief in the continuity of the Jewish people *and* of its enemies was stated plaintively by another older Leftist, who summarized the criticism of Arendt's work by Jewish radicals and Socialists:

They felt that she had maligned and affronted the Jews as a people, that she had stimulated among some Jews a disgust, not with some Jewish collaborators and with some Jews' weaknesses, folly or crimes, but with the Jewish people as a whole It was not the "victim myth of the Jewish past" . . . that motivated our rebuttals of Arendt, but the embattled dignity and honor of a people still too widely subject to the slings and arrows of outrageous misrepresentation.⁴⁴

Hannah Arendt herself, at least, became convinced of some continuities in Jewish history and organization. In 1966, she wrote that there was "a strong link between the establishment in Israel and the leadership which was in charge in Europe during the war."⁴⁵ Indeed, the reaction against her "telling the truth in a hostile environment" was fomented by something akin to a Jewish Conspiracy.⁴⁶ Albeit self-aggrandizing, she was not altogether wrong.

43. See Louis Harap, *Eichmann in Jerusalem*, 28 SCIENCE & SOCIETY 223, 226 (1964) (book review) (stating that Arendt made many generalizations, which included the presumption that Eichmann should be sentenced to death).

44. Morris U. Schappes, *On Arendt's Eichmann and Jewish Identity*, 5 STUDIES ON THE LEFT (1965).

45. Hannah Arendt, *The Formidable Dr. Robinson: A Reply*, 5 N Y. REV. BOOKS, Jan. 20, 1966, at 29.

46. *Id.* The charges contained in her article included the following list of conspirators: the government of Israel with all its embassies, consulates and missions throughout the world; the American Jewish Congress; the World Jewish Congress; the B'nai Brith, "with its powerful Anti-Defamation League and student organizations on all campuses;" four coordinated research centers waiting at beck and call; all kinds of institutes, Israeli newspapers and publishers; and finally, Ben-Gurion himself. See *id.* Indeed, the National Community Relations Advisory Council, made up of officers from the leading national Jewish organizations, conducted a closed special executive meeting on April 23, 1963, for the explicit purpose of organizing an effective coordinated response to Arendt and her allegations. See Cohen, *supra* note 11, at 48. Organizational leaders were especially afraid that Arendt's analyses would free Christians from their responsibilities to the Jewish people, responsibilities taken on as a result of silence during the holocaust. See *id.*

Those Black, but mostly white, critics who accepted Styron's Nat Turner assumed that the nobility, strength, and determination that Black people demonstrated in 1968 need not have been eternal qualities. The oppression of slaves was brutal and debilitating. Any nascent impulses toward rebellion were almost always squashed. Oppression on such a wide scale inevitably led to neuroticism and religion, and it is neither unreasonable nor retrograde to believe that even successful rebellion incorporated both.

Again, given the milieu of slavery and plantation, consciousness was most likely to develop amongst those slaves in contact with a broader environment and range of stimuli, including whites. That this principle held true in the South is evidenced by the backgrounds of the Black leaders and spokesmen about whom more is known, including Frederick Douglass, Sojourner Truth, and others. Likewise, sex played and continues to play, as the then-current example of Eldrige Cleaver's *Soul on Ice*⁴⁷ clearly demonstrated, a very complex and contorted role in interracial relations. That Nat Turner and his compatriots had very ambivalent, sometimes lustful, attitudes toward white women should be neither surprising nor disgraceful.⁴⁸ A slave "family" such as Nat Turner's was not in a position to imbue its children with much of an education. Even lack of discipline and disunity in the ranks of Nat's troops can be explained in terms of the constraints involved. Very few Black critics advocated this type of analysis because it called for the recognition of a discontinuity in Black history and the resultant admission that Blacks either must have changed—or must still.

Although generally critical of the *Confessions*, NAACP reviewer Edward Muse acknowledged that Nat Turner led an "unsuccessful slave revolt" which "included betrayal from within . . . and planning characterized more by determination than by foresight."⁴⁹ Similarly, John Hope Franklin, a leading African-American historian of slavery, widely identified at the time as an

47. ELDRIGE CLEAVER, *SOUL ON ICE* 159-61 (1968).

48. *See id.* at 161.

49. Edward B. Muse, *Failure of a Mission*, 75 *THE CRISIS* 102, 102 (1968) (book review).

integrationist and a moderate, was prepared to acknowledge that Turner's march was characterized by "wanton destruction", drunkenness and that: "Soon the band of desperate men . . . could no longer sanely or soberly proceed with their mission The well-laid plans of Turner, the result of years of meditation and prayer, fell apart, with each slave more and more proceeding on his own."⁵⁰

Indeed, Franklin went so far as to say that "Styron makes many salient comments and observations that reveal his profound understanding."⁵¹ It was, of course, not accidental that the two Black writers to defend these aspects of Styron's portrayal were "moderates" or "integrationists." To make America a place where Black and white can develop together requires changes on the part of both during the course of a struggle undertaken by both, whereas, the attainment of rights and power by Blacks in white America requires changes only on the part of white America in response to the militant struggle of Blacks secure in and fully armed with their history.

The most vocal defender of Styron in the matter of continuity was Eugene Genovese who, although white, wrote as a scholar of the period and as a radical. He contended that Styron did not do violence to the historical record and that, for example, if the slaveholders had not been able to divide, they would not have ruled. It is because the revolutionary hates the oppressed behavior (i.e. Samboism) of his people that he revolts. Genovese cited Franz Fanon to document the need to turn on or against the past rather than to defend it at all costs.⁵² The reluctance to turn against the past can be attributed to a certain lack of political self-confidence, which cannot be obscured by real or apparent militancy. Styron's analysis "may stamp him as an integrationist—which for some may well be his ultimate crime."⁵³

That the lines of cleavage along which the intelligentsia were splitting were racial rather than ideological was Genovese's final

50. Franklin, *supra* note 16, at 1, 11.

51. *Id.*

52. See Eugene D. Genovese, *The Nat Turner Case*, N.Y. REV. BOOKS, Sept. 12, 1968, at 36 (citing Franz Fanon's *THE WRETCHED OF THE EARTH* (1963)).

53. *Id.* at 36 (citing Franz Fanon's *THE WRETCHED OF THE EARTH* (1963)).

conclusion. Although essentially correct, this development need not in itself lead to an insistence on the continuity of Black history. The overt insistence on continuity was based, I believe, on the enormous difficulties that any full-fledged attempt to redefine Black history or Black identity would entail. At the same time, however, attempts to build up Black pride, family unity and self-assertion have all been conscious negations of the Sambo image of passivity, collaboration, and shiftlessness. The situation is thus far from resolved, as exemplified by debates currently raging in African-American scholarship.⁵⁴

In his *The Destruction of the European Jews*, Raul Hilberg attributed Jewish passivity and cooperation to what he termed "the straitjacket of Jewish history" in Europe.⁵⁵ Although not a Zionist activist, Hilberg sometimes credited Zionism and the rejection of the past with the successful escape from that straitjacket. In the early sixties, Israeli youth was being educated to see in Israel a decisive break in and from the previous history and mentality of the Jewish people. For them, the diaspora mentality was characterized by appeasement, passivity and the inability to fight. The fact that the Jewish victims were "innocent" was not necessarily to their credit. There is no nobility in being a victim and no heroism in being weak. Since they per-

54. Neo-conservatives like Clarence Thomas, Thomas Sowell, and Glenn Loury share these precise concerns with liberals like William Julius Wilson, Henry Louis Gates, and Cornell West, as well as with the law school radicals and crypto-nationalists of critical race scholarship. They differ dramatically over the issue of responsibility for such images, but they share a concern with them. See, e.g., THOMAS SOWELL, *RACE AND CULTURE* (1994); GLENN C. LOURY, *ONE BY ONE FROM THE INSIDE OUT: ESSAYS AND REVIEWS ON RACE AND RESPONSIBILITY IN AMERICA* (1995); WILLIAM JULIUS WILSON, *THE TRULY DISADVANTAGED: THE INNER CITY, THE UNDERCLASS, AND PUBLIC POLICY* (1987); HENRY LOUIS GATES, JR., *THIRTEEN WAYS OF LOOKING AT A BLACK MAN* (1996); HENRY LOUIS GATES, JR., *THE FUTURE OF THE RACE* (1996); HENRY LOUIS GATES, JR., *COLORED PEOPLE: A MEMOIR* (1994); CORNELL WEST, *RACE MATTERS* (1993). Also notable in this context is Clarence Thomas, whose comments about his sister being on welfare were widely publicized. See Julianne Malveaux, *The Thomas View of Women's Lives*, U.S.A. TODAY, Sept. 12, 1991, at 13A; Timothy M. Phelps, *The Education of Clarence Thomas*, NEWSDAY, Sept. 9, 1991, at 5; Catharine P. Wells, *Clarence Thomas: The Invisible Man*, 67 S. CAL. L. REV. 117, 132-34 (1993).

55. HILBERG, *supra* note 27, at 202.

petuated that mentality, the European leadership deserved special blame. Now that there was an Israel, this line of reasoning argued, Jews need not be so defensive about themselves that they feel the need to refute every criticism leveled against them. When asked about this attitude toward the study of recent Jewish history, an Israeli educator in 1970 described the position of his generation as follows:

We dislike studying modern Jewish history. Particularly we don't like the history of the *sho'a* period. It [European Jewish history] is just one pogrom after another. You know the Jews were killed without trying to do anything about it—two or three little ghetto revolts, nothing—and we don't want to have anything to do with it . . . We stress Biblical history more.⁵⁶

For Bruno Bettelheim, a partial defender of the Arendt theses, the diaspora mentality was a form of a more general phenomenon, "ghetto thinking," which did not affect Jews exclusively. This ghetto thinking was a tendency to deny reality, to procrastinate, to avoid taking action by deadening the senses and denying the reality of the impending threat; to bend so as not to break. Bettelheim, unlike Arendt, credited Israel with breaking down the ghetto thinking which had led to the passivity and collaboration of the European Jews. Although a terrible price was paid, only the discontinuity of Jewish history could prevent a recurrence. As for the European Jews:

Arendt is right not to grant the murdered Jews the saint-hood of martyrs . . . If I should choose to walk unarmed at night in Central Park and get robbed, it does not mean that my attacker is less guilty, nor that I am guilty. All it means is that I am not very smart . . . [a]nd if I get killed I am not a martyr . . . discussing how I contributed to my fate may prevent others from repeating my mistakes and is hence of greater use than bewailing my death or trying to make of

56. Benni Eden (unpublished manuscript, on file with the author). This was a very common opinion at the time. The educator quoted, Benni Eden of Hebrew University, was born in Israel the son of European socialists who came to Palestine during the Mandate period before 1939. See generally SEGEV, *THE SEVENTH MILLION*, *supra* note 37; see also, Don-Yehiya, *supra* note 35.

me a martyr.⁵⁷

Clearly, for those able and prepared to acknowledge a major discontinuity in Jewish history, there was no need to defend the behavior of the European Jews, no need to “join the battle for the historical rehabilitation of Europe’s Jewish population.”⁵⁸ Clearly too, the “historical rehabilitation” of the lost world of European Jewry was and is important to those feeling connected to it. Through the 1950s and 1960s, the connection between that lost world and both Israel and most of the American Jewry had been severed or attenuated at best. Ironically, it was after 1967 and, especially in 1973, that the connection was rebuilt. So strongly has it now been rebuilt that the “holocaust” and the destruction of European Jewry today lie at or near the center of the American Jewish consciousness.⁵⁹

B. *Empathy and Subject Positionality*

Our second variable is one attended to a great deal today in legal scholarship, namely, the distinction between private and universal history, between positionality and objectivity. Did the critics argue for “property rights” or for the kind of expertise that becomes exclusionary? Was there a demand for the kind of empathy that pardons everything? There was a time when Jews were not hired to teach English literature because it was presumed that they could not understand it. American History, too, had been something of a W.A.S.P. preserve. Paul Robeson could not portray Shakespearean heroes, even Othello, in part because a Negro could not be expected to understand much less convey what Shakespeare was about.⁶⁰

This view did not receive much overt articulation in the mid-Sixties, not even on the part of those who clamored for Black Studies to be taught by Blacks. Certainly the Jews who used the

57. Bruno Bettelheim, *Eichmann; the System; the Victims*, NEW REPUBLIC, June 15, 1963, at 23-25.

58. Nathan Eck, *Historical Research or Slander?*, in 6 YAD VASHEM STUDIES ON THE EUROPEAN JEWISH CATASTROPHE AND RESISTANCE 385, 387-91 (Nathan Eck & Aryeh L. Kubovy eds., 1967).

59. See generally NOVICK, *supra* note 18.

60. See MARTIN B. DUBERMAN, PAUL ROBESON 274-75 (1989).

concept of meritocracy as their primary channel of social mobility, and now as a defense of their achievements, would not explicitly call for such a perspective, though the 1990s call for Jewish Studies has sometimes deviated from this.

Nevertheless, there was voiced in the criticisms of Styron and Arendt a certain claim to perspectival or "property rights" in the study of slave and holocaust history. The claims were not pressed in terms of "recognized Blacks" and "recognized Jews" only; rather, certain phrases served to indicate the limitations that the hostile critics wished to impose, phrases such as having to "pay your dues in order to play the blues"⁶¹ and *Ahabath Israel* [love of the Jewish people].⁶² Indeed, in his 1989 refutation of race-based Black legal scholarship, Randall Kennedy cites Mary McCarthy's complaint that some Jewish intellectuals made her feel "like a child with a reading defect in a class of normal readers-or the reverse. It [was] as if *Eichmann in Jerusalem* had required a special pair of Jewish spectacles to make its 'true purport' visible."⁶³ On the other hand, even a partial supporter of Arendt like Daniel Bell felt compelled to ask, "[c]an one exclude the existential person as a component of the human judgment? In this situation, one's identity as a Jew, as well as philosophe, is relevant."⁶⁴

The criticism of Styron's authority contained two interwoven strands; one questioning his credentials, the other his intentions.⁶⁵ It is one thing to say that as a white or as a southerner Styron was incapable of understanding or presenting a slave rebel, his milieu and his rebellion. It is quite another to say that Styron was a racist or a racist apologist, therefore presenting a "false" Nat Turner. The latter permits a degree of volition on the part of a writer, which the former eschews in favor of a bio-

61. Loyle Hairston, *William Styron's Nat Turner - Rogue Nigger*, in *WILLIAM STYRON'S NAT TURNER: TEN BLACK WRITERS RESPOND* 66, 72 (John Henrik Clarke ed., 1968).

62. Gershom Scholem, *Eichmann in Jerusalem: An Exchange of Letters Between Gershom Scholem and Hannah Arendt*, *ENCOUNTER*, Jan. 1964, at 51, 54.

63. Kennedy, *supra* note 9, at 1745.

64. Daniel Bell, *The Alphabet of Justice: Reflections on "Eichmann in Jerusalem,"* in 30 *PARTISAN REVIEW* 417, 428 (1963).

65. See generally James L. W. West III, *William Styron in Mid-Career*, in *CRITICAL ESSAYS ON WILLIAM STYRON* 1, 7 (1982).

datum. The latter also assumes the burden of responsibility; one has to prove Styron a racist or a reactionary, whereas one can easily identify Styron as white and southern. Unless, of course, being white means being a racist in which case the distinction collapses and Styron becomes a racist *ipso facto*. All three positions emerged with varying degrees of forthrightness, but much more so in comparison to the Arendt case.

The questioning on racial grounds of Styron's ability to write about slave rebels varied from a cautious Albert Murray in *The New Leader*:

The fundamental shortcoming of almost all fiction written by white Americans about their Black fellow countrymen is also, given the deep-seated racism of most Americans, the most predictable one: The white American writer is either unable or unwilling to bring himself to make a truly intimate and personal identification with his chosen Black protagonist . . . [The white writer] rarely endows Black people with dreams and heroic aspirations that in any way approach his own . . .⁶⁶

To the unabashed and unembarrassed Stephen Henderson, we must wrest the Negro image from white control "[so that] one can be fairly certain that the next white writer will think twice before presuming to interpret the Black experience."⁶⁷

The many political implications of such arguments are not far below the surface. Since writing is a form of, or at the least serves, politics, it becomes important to be able to determine who can and cannot be at the throttle. What the preponderance of Black critics called for was essentially veto power. If they could not assure a serviceable history, they at least wanted to be able to exercise authoritative judgment as to what could be offered. White authors could no longer be allowed, without protest, to "use Black Americans no matter what we do. When we refrain from cutting throats, they stigmatize us as bootlicking Sambos. And when we cut throats, they make us a Book-of-the-Month-Club selection [for their projections]."⁶⁸ Styron could not

66. Murray, *supra* note 16, at 18.

67. MERCER COOK & STEPHEN E. HENDERSON, *THE MILITANT BLACK WRITER* 74 (1969).

68. Bennett, *supra* note 28, at 16 (Bennett was the Senior Editor of *Ebony*

pass as an unreconstructed southern racist because, in the words of a *Freedomways* editor and Schomburg Library staffer, “[S]tyron has no equipment either factually or psychologically to write a novel about Nat Turner or any other Negro for that matter.”⁶⁹

Styron became simply a propagandist for a white history that threatened Blacks and held them back. For novelist John Killens, “the first mistake was for Styron to attempt the novel” because “no white can see with a Black perspective.”⁷⁰ Further, according to a member of the Harlem Writers Guild, because of America’s institutionalized racism, whites “are incapable of portraying Black characters as human types . . . they look upon the Black man’s condition of social degradation as being natural to his inferior character, rather than resulting from the racial oppression of the American social system.”⁷¹

When white America seeks to relieve its conscience, it will be up to Blacks to decide if that relief is authentic and if it will come at the expense of Blacks - past or present. In Styron’s case, Nat Turner became for Vincent Harding, a Spellman College professor and curricular pioneer, a creature of whiteness, and therefore violated the integrity of Black experience and reality in his “whitened appropriation of our history” over which Blacks themselves now watch.⁷² To tread on the Black right to Black history requires a special dispensation not likely to be granted often, because when it comes down to it, “no one else can speak out of the bittersweet bowels of our Blackness.”⁷³ Critics consistently asserted the inability of whites to write about slaves and their rebellions; invariably Styron’s work was compared to Arna Bontemp’s *Black Thunder* and Margaret Walker’s *Jubilee*, works about slave rebellions written by African-Americans and putatively more accurate, authentic and insightful.

magazine at the time).

69. Kaiser, *supra* note 30, at 55.

70. Killens, *supra* note 29, at 36.

71. Hairston, *supra* note 61, at 68.

72. Vincent Harding, *You’ve Taken My Nat and Gone*, in WILLIAM STYRON’S NAT TURNER: TEN BLACK WRITERS RESPOND 23, 26, 32 (John Henrik Clarke ed., 1968).

73. *Id.* at 32.

Among the hostile critics, there was a further division on the race question. While the older critics consistently cited *American Negro Slave Revolts*,⁷⁴ the pioneering work of the Communist Party historian Herbert Aptheker, to counter the argument of passivity and collaboration, younger writers ignored it. The only presumable reason for this is that the younger Black writers of the period did not care for white radical allies. Whether repelled by a history of co-optation on the part of white revolutionaries or whether merely preferring to go it alone, the younger Blacks did not care for the contributions of a Styron or a Genovese or an Aptheker. We cannot know how *The Confessions* would have been received had Styron been a Black author. What was clear to the critics, however, was that *The Confessions* was a lucrative success for Styron because it was written by a white for whites in a white society. Harding was clearly aware of the smashing success of Styron's book, perhaps especially among white readers, when he wrote of a:

[t]ragedy created by the non-Black authorities on Black life who are certain that they have eaten and drunk so fully of our experience that they are qualified to deliver homilies to us on how that experience should be understood In essence they seek to become the official keepers of our memories and the shapers of our dreams May we ask that they acquire the humility of occasional silence in the presence of our experience.⁷⁵

As putative executors of a tradition of objective and detached scholarship, the critics of Arendt were in less of a position to challenge her "right to write" on the European Jews. Consequently, the critics shifted to a discussion of her scholarly deficiencies, her politico-philosophic orientation, her "ax to grind" and her choice of forum. While the argument in the Styron case centered on the question of who was qualified to *write*,⁷⁶ the crit-

74. HERBERT APTHEKER, *AMERICAN NEGRO SLAVE REVOLTS* (1943).

75. Harding, *supra* note 32, at 32. Qualifications stated in terms of "bittersweet bowels of Blackness," and the "eating and drinking" of experiences approach the mysticism of the blood. *See id.*

76. For a discussion of the "right" to ethnic identity, *see generally* Jim Chen, *Embryonic Thoughts on Racial Identity as New Property*, 68 U. COLO. L. REV. 1123 (1997); Cheryl I. Harris, *Whiteness as Property*, 106 HARV. L.

ics in the Arendt case found the question of who was qualified to *understand* more compelling. The feeling that only those who were there could understand, and that Arendt was only “there” long enough to misunderstand, was voiced by a number of immigrants. In both cases, a certain “privileging” of survivor discourse had emerged. Clearly, too, there was an element of *shandt far de goyim*, shaming other Jews before or in front of non-Jews. That, in part, accounted for the hostility toward the publication of her essays in the *New Yorker*.

Another contributing cause to the hostility Arendt faced was the widespread distrust of German Jews—haughty, assimilationist and snide—felt by the Eastern Jews who then led the American Jewry. This led to an extension of the language criticism. Instead of being charged merely with the inability to read Yiddish, Polish, Russian or Hungarian—the languages of ninety percent of Europe’s Jews—she was charged with the inability to understand the Jews of Eastern Europe, their starting points and their plights.⁷⁷ Concomitantly, her own suffusion in German philosophy precluded her understanding the *shtetl*⁷⁸ and its people. One who studied where and with whom she did could not understand the ethereality of Jewish life in “the East”: Arendt was part of Heidegger’s world, but not Chagall’s. Had Arendt been a total stranger to the situation, she would have been forced to learn and occasionally to admit to ignorance, but being instead, in the eyes of many, a self-proclaimed know-it-all, she substituted a sneering maliciousness and disdain for empathy, *Herzenstakt*.⁷⁹

In a famous letter to Arendt, the Jewish philosopher Gershom Scholem hinted, not that she was not qualified to undertake her book, but rather that she betrayed a trust in not

REV. 1709 (1993).

77. See Norman Podhoretz, *Hannah Arendt on Eichmann: A Study in the Perversity of Brilliance*, 36 COMMENTARY 3, 3-4 (1963).

78. Shtetl is a small Eastern European Jewish community of former times. See THE AMERICAN HERITAGE DICTIONARY OF THE ENGLISH LANGUAGE, 1673 (3d ed. 1992).

79. See Lahav, *supra* note 2, at 573 (discussing Hannah Arendt’s being labeled a “self-hating Jew,” and her perceived lack of compassion and mercy, *Herzenstakt*).

“mourning the fate of your own people.”⁸⁰ He found “a demagogic will-to-overstatement . . . [that she presented a] heartless, frequently almost sneering and malicious tone”⁸¹ in which was missing any circumspection in dealing with “the destruction of one third of our people.”⁸² The critics frequently saw Arendt as someone who was in a position to tell the Jewish story to the whole world but who refused and thus betrayed the Jewish people. In a sense her sin may have been worse than Styron’s because, although he commanded access to a broad market, he was from the start in absolutely no position to know or tell the truth.

Instead of the truth, Arendt told the *goyim* what they should not have been told. In the words of Morris Schappes:

What was most startling to the sophisticated but, in this subject uninformed and gullible readers of the *New Yorker* series was . . . her view of the Jews’ relations to the Nazis. Relying upon her authority as an intellectual of note . . . many readers swallowed wholesale her exaggerated and distorted picture of vast criminal collaboration and of almost total Jewish passivity and cowardice . . . The resulting indigestion induced in many readers a feverish disgust with the Jewish people: self-disgust on the part of Jews; a contempt that could become anti-Semitic on the part of non-Jews . . . The greater the indifference to Jewish life now or then, the louder the reader’s wail that ‘the Jews’ had let the world down . . . It was contact with such readers reactions that first alerted us . . .⁸³

The lack of elegance should not obscure the reality of the widespread existence of such reactions.⁸⁴

Among those who experienced Nazi Europe but survived, there existed a widespread “survivors’ guilt” which assumed one of two forms. One, which I tend generally to identify with those who suffered less, seeks to widen the locus of guilt and blame for what happened to as many people and institutions as possible. The other, which I tend to identify with those who suffered

80. Scholem, *supra* note 62, at 51-52.

81. *Id.* at 51-52.

82. *Id.* at 52.

83. Morris U. Schappes, *JOURNAL OF JEWISH CURRENTS* 23 (1963).

84. *Id.*

more, seeks to make the locus of guilt as narrow as possible.⁸⁵ The need for expiation is inversely related to the amount of suffering endured. Those who suffered most from the irrational hell imposed by the Nazis know that their suffering was gratuitous, whereas those like Arendt who suffered less had a greater need to discover irony, paradox and collaboration in what happened. Given that German-Jewish emigrés such as Arendt, Bettelheim, Fromm, Morgenthau, and others did not suffer a great deal, it is not surprising that it should be they who were most prone to paradoxical and ironic analyses. If one adds to this the shock and disbelief that assimilated German Jews must have felt at seeing their hard won and highly prized *Kultur* turn mad, then a more coherent picture emerges. Arendt merely flaunted her betrayal by publishing it in the *New Yorker*.

Most readers of the *New Yorker* were gentiles. Irving Howe asked rhetorically:

How many readers . . . had ever before cared to read anything of the vast literature about Jewish resistance? . . . How many would ever read anything about it again? . . . For the *New Yorker*, the issue is disposed of . . . it would have been tiresome to keep returning "to the same old thing" [with rebuttals, replies or letters]. The social meaning and the objective consequences [are that] hundreds of thousands of good middle class Americans will have learned that the Jewish leadership was cowardly, inept and even collaborationist; that the Jews helped the Nazis in racial genocide; and that if the Jews had not cooperated with the Nazis, fewer . . . would have been killed.⁸⁶

Arendt, it seemed, provided a relatively ignorant and presumptively unsympathetic readership with an exceedingly complex theme made too simple.

Confronted with her betrayal, the critics had to explain it, or rather, explain how she could so misunderstand. One of the ob-

85. This contrast is mirrored in much of the recent holocaust scholarship. See generally CHRISTOPHER R. BROWNING, *ORDINARY MEN* (1992) (broad and diffuse causation model); DANIEL J. GOLDHAGEN, *HITLER'S WILLING EXECUTIONERS: ORDINARY GERMANS AND THE HOLOCAUST* 375-415 (1996) (narrow and concrete causation model).

86. Irving Howe, *The New Yorker and Hannah Arendt*, 36 COMMENTARY 318-19 (1963).

vious sources of dissonance was the fact that a Heidelberg philosopher attempted to explore the thoughts and motivations of a people who, although her own, lived a life so entirely different from hers—both in Europe and in Israel.⁸⁷ One would have expected the charge that Arendt was operating on a strictly German wavelength to come from an American, but it was an Italian Jew who wrote that:

Believing in Goethe rather than *Gott*, Miss Arendt argues in *Eichmann in Jerusalem* like an “enlightened” [] *Fraulein Doktor* who no longer has any awareness of the basic values and tenets of Judaism, and who thus views and judges the behavior of most Jewish victims of Nazi crime with the non-Jewish standards of German liberal ethics. But these very ethics seem at times, in her book, to have been infected by her own pre-Nazi German contempt for the traditionalist *Ostjude* who, not yet a [] liberal believer in an ideal *Rechtstaat*, still reacts to the crimes of a corrupted or criminal *Rechtstaat* with total incomprehension and without even revolting because he considers the State always incomprehensible and nearly always criminal.⁸⁸

The defenses of Styron and Arendt on the “subject positionality” question were quite similar and rather straightforward. History and understanding are open to all, and it is self-delusion to

87. Unfortunately, Arendt’s German Jewish contempt for Eastern European Jews and Israelis, who aren’t even European, comes through all too clearly in her correspondence with Karl Jaspers:

The chief justice —Landau— superb! All three of the judges are German Jews The prosecutor [Hausner] on the other hand, a typical Galician Jew, very unsympathetic, is constantly making mistakes. Probably one of those people who don’t know any language

My first impression: On top, the judges, the best of German Jewry. Below them the prosecuting attorneys, Galicians, but still Europeans. Everything is organized by a police force that gives me the creeps, speaks only Hebrew, and looks Arabic And outside the doors, the oriental mob, as if one were in Istanbul or some other half-Asiatic country. In addition, . . . the peies and caftan Jews, who make life impossible for all the reasonable people here.

Hannah Arendt, *Arendt to Jaspers - 13 April 1961*, in HANNAH ARENDT-KARL JASPERS CORRESPONDENCE: 1926-1969, 434-35 (Lotte Kohler and Hans Saner eds., 1992).

88. Edouard Roditi, *Treblinka: The Shocking View*, [AMERICAN JEWISH] CONGRESS BI-WEEKLY, May 23, 1966, at 25.

think otherwise. There is no esoteric understanding that whites or Christians or the uninitiated cannot attain. Anyone can and everyone should try to understand the past. No special spectacles are required, and there are no different truths for different audiences. There is an intellectual "free market": neither Styron nor Arendt has won the race to tell the story of slave revolts or the behavior of the Jews under Nazism; if their work is deficient, let others offer competing versions. If there are no other versions that are defensible, then these must be accepted, and there is no sense in abusing the messenger because he or she brought ill tidings. The scholar must be detached from his subject rather than wed to it.

Styron and Arendt were well equipped as intellectuals and as analysts to understand their subjects, and their expositions gave form and coherence to the phenomena under study. The chief defenders of Styron and Arendt on this issue were, reasonably enough, often from among those who had been defined as outside the pale of authentic understanding. On the one hand, it is surprising to read political radicals like Eugene Genovese and Mary McCarthy insists that there is an intellectual "free market." The notion that there exists free and open debate on any issue is not something one expected to hear from such sources, even in the mid-Sixties. Whatever the precise relationship of Styron and Arendt to subsequent intellectual and political trends, it is beyond dispute that the literature on Black and Jewish heroism during the period of peak oppression began to mushroom in the years following the appearance of the two books.

Unsurprisingly, the NAACP reviewer was torn between his commitment to non-racialism and his feeling that something was not right, something was missing in Styron's *Nat Turner*:

The book is well written . . . but Styron fails to comprehend or place in proper perspective the forces that drove Nat Turner [even though] he did not intend it that way . . . His account of the slave system seen largely through the eyes of the slave is noteworthy. The details of the everyday life of the slaves are based on vast research of the period . . . [and yet] an accurate, meaningful account of Turner's life must

await another day.⁸⁹

Older generation historian Benjamin Quarles was unequivocal in his support of Styron's competence: Quarles believed that Styron's novel gave a stark portrayal of the human dimensions of Turner's life during southern slavery.⁹⁰ For John Hope Franklin, a member of the same older generation, "Styron makes many salient comments and observations that reveal his profound understanding of the institution of slavery."⁹¹ It is interesting to note, however, that what praise there was, was directed at Styron's portrayal of the institution of slavery rather than at his portrayal of Nat Turner.

No Black evinced the near-joy of the southern white liberal who felt that the fact that Styron attempted to show the deep inner workings of an African-American was evidence of a new social breakthrough.⁹² Nat Turner is significant because his existence as a Black man is to portray him as what a white man would be in similar circumstances.⁹³ Such naiveté did not issue forth from Eugene Genovese who defended Styron knowing full well how charged the atmosphere was. As a scholar, a white and a radical, Genovese cited the historical record and maintained that "Styron does not do violence to the historical record. The same cannot be said for his critics."⁹⁴ Styron was simply a better student of history than his critics; out of limited data he created one of the real Nat Turner possibilities, in precisely the way that George Lukacs had discussed the historical novel.⁹⁵ As an established anti-nationalist capable of displaying deep respect for the insights even of reactionaries, Genovese was duty bound to defend Styron's perceptions.

There was little discussion of Arendt's right to discuss her

89. Muse, *supra* note 49, at 102-03.

90. See generally Benjamin Quarles, *Book Review*, 59 SOCIAL STUDIES 280 (1968).

91. Franklin, *supra* note 16, at 11.

92. See STONE, *supra* note 1, at 1-5.

93. See *id.*

94. Genovese, *supra* note 52, at 34.

95. *Id.*; see also Louis D. Rubin, *William Styron and Human Bondage: The Confessions of Nat Turner*, HOLLINS CRITIC, Dec. 1967, at 6 (discussing Styron's portrayal of the real Nat Turner).

topic. Arendt's defenders, like Styron's, stressed the universality of scholarship. For Eugene Rostow, it was quite obvious: Arendt "approached the subject as a social scientist of particularly wide and philosophical perspective."⁹⁶ Dwight MacDonald at one point reduced the entire matter to Jews' carping because they did not get from Arendt what they had wanted. Her qualifications were eminent; her disqualification was that she lacked "a special feeling in favor of her fellow Jews," which was actually good because, "[a] yardstick is not a yardstick if it is more or less than three feet long, and justice is not justice unless it is 'universalistic.'"⁹⁷

Put this way, none of Arendt's critics would disagree with MacDonald. They argued that different scales should be used for different measurements, and insofar as Arendt used one yardstick, it was much longer than three feet for Eichmann and much shorter than three for the European Jews. In self-defense Arendt located the source of her troubles in her independence, "[t]he trouble is that I am independent. I have great confidence in Lessing's *selbstdenken* for which, . . . no ideology, no public opinion and no 'convictions' can ever be a substitute."⁹⁸ Mary McCarthy made the boldest attack on the contention, never overtly voiced, that only Jews or those rooted in a Jewish ambience, could understand what transpired in the world of the European Jews. McCarthy is a gentile, and the only thing worse than being a gentile is being, like Arendt, a self-hating Jew.

As a Gentile I don't "understand." All of Arendt's hostile reviews . . . have come from Jews, and those favorable to her from Gentiles [sic]. The division between Jew and Gentile is even more pronounced in private conversa-

96. Eugene V. Rostow, *NEW YORK HERALD TRIBUNE BOOK REVIEW*, May 18, 1963, at 1 (book review). In retrospect, it seems amazing that a Dean of the Yale Law School could have written such a review. Beginning with Israel's "xenophobia" and concluding with the "assassination" of Eichmann, Rostow presented a list of "facts" which included the "similarity of Arendt's and Ben Gurion's views." *Id.* Clearly, Rostow's rejection of Israel's claim of jurisdiction made Arendt into an ally.

97. Dwight MacDonald, *More on Eichmann*, 31 *PARTISAN REVIEW* 262, 269 (1964).

98. Hannah Arendt, *Eichmann in Jerusalem: An Exchange of Letters*, *ENCOUNTER*, Jan. 1964, at 55.

tion It is as if *Eichmann in Jerusalem* had required a special pair of Jewish spectacles to make its "true purport" visible.⁹⁹

"Spectacles," or lenses, like licenses, are allocated by authority. Who is authorized to *write*; who is able to *understand*? We are no closer to closure or consensus on this issue today than we were 35 years ago. Indeed, the more problematized the issue has become, the further we are from an answer.¹⁰⁰

C. *Heroes and Victims*

The third thread running through the two discussions was a quest for the heroic. The debates reflected the tension between a self-critical, reappraising honesty and the need to salvage the heroes and restore the victims of the past. If the heroes of the past are to serve the needs of the present, they may not be tainted; they must be rehabilitated and even restored to their rightful pedestals. If the victims of the past are not to be a reminder of the ignominy of the past, they must be rehabilitated. Heroes cannot be robbed of their magical qualities and remain heroes to the many. To acknowledge, for example, that Nat Turner was motivated, even in part, by sexual longings is to lessen his stature. For a Black community burdened with the racist image of mindless creatures of passion, the search for models and exemplars had to lead to the untarnished fighting hero who was motivated only by the purest of principles. He had to be not just like whites, but better. And, if this hero was to resemble the leaders and heroes of the late Sixties, he had to be anti-white.

Within the accepted meanings of the words "hero" and "heroic," it is difficult to view the bulk of Jewish victims of Nazism as either one or the other. To do so requires an extension of the meaning of the words away from their connotations of strength, courage and daring. To accomplish this, Arendt's critics formu-

99. Mary McCarthy, *The Hue and Cry*, 31 *PARTISAN REVIEW* 82, 82 (1964).

100. Regarding the writing of history, see generally PETER NOVICK, *THAT NOBLE DREAM* (1988). Of course, literary post-modernism seems to be mostly about "authority," who has it or doesn't and how to get it.

lated a concept of heroism based on tenacity, endurance and the preservation of the normal: *kiddush ha chaim*. An alternative to building a case for the *heroism* of the European Jews and their leadership was building a case for their *martyrdom*.

But this too posed a severe problem for Arendt's critics. Unlike the Jews of the Spanish Inquisition, for example, the Jews of Europe were not killed because of their refusal to cease being Jewish; only Nazism could explain the Final Solution. Most of Arendt's critics would, in any case, have settled for less than hero or martyr status for their European brethren.¹⁰¹ After all, the charge was that they had been less than not heroic, less than not martyrish: they had remained passive, co-operated and collaborated in their own destruction. Since some of the nastiest of Arendt's barbs were reserved for the Jewish leadership, Arendt's critics sought to refute the charges of passivity and collaboration. It was enough to prove that the Jewish leadership did all that it could, under the circumstances, to save as many lives as possible.¹⁰² If they were not successful, the blame lay in the circumstances and conditions of Jewish existence, not in the leadership or populace. The Jewish critics had to make clear that the Jews, as far as they or any other of Nazism's victims could, did do all that could have been done. "Heroism" was not ready for problematization.

If the Jews had lost a world and needed their victims noble to help them live with it, the Blacks had a world to win and needed their heroes unsullied to help them accomplish the goal. For the sensibility that Styron's critics represented and demanded, Nat Turner's heroism and greatness was a matter of historical record; they had to be. On the other hand, "Styron's version is not the

101. See Lahav, *supra* note 2, at 566 (citing Yosel Rogat, *The Eichmann Trial and the Rule of Law* (1961) (manuscript, Center for the Study of Democratic Institutions, Santa Barbara, California)). Lahav describes Rogat's view as follows: "He understood Israel's attempt in the Eichmann trial 'to galvanize all Jews into a tensed self-consciousness of their heroic destiny' and tensely resisted the invitation." *Id.*

102. See ISAIAH TRUNK, *JUDENRAT: THE JEWISH COUNCILS IN EASTERN EUROPE UNDER NAZI OCCUPATION* (1972) (studies various aspects surrounding the Jewish Councils, such as their emergence, structure and activities, as well as their relations with and strategies against the German authorities).

Negro's Homeric Negro but," as Albert Murray put it, "[a Hamlet] a white man's historian Stanley M. Elkins' Negro—a Nat Turner who has been emasculated and reduced"¹⁰³ In the eyes of the most militant Black nationalists, Styron did worse than emasculate a hero; he "threw napalm on Nat and on Black history—an act of genocidal war in itself."¹⁰⁴ Nat was reduced "from a giant Black man . . . into a boy, a child of pathos and a freak among his brethren rather than a typical revolutionary . . . Nat Turner must be seen in this kind of revolutionary context!"¹⁰⁵ To those who thought in less racial terms, Styron's purpose was to relegate Nat Turner to obscurity along with "such 'villains' as John Brown, Garrison, Lovejoy and Thad Stevens in the rogues' gallery of American history."¹⁰⁶ The message of the critics was clear: Nat Turner would not be denied his place in the revolutionary annals of Black people by those who belittled him through psychoanalysis or condescension.

Nat Turner's presence in those annals of revolution served two purposes. The first was to establish the continuity of rebellion and revolution rather than passivity and collaboration in the history of Black people; the second was to offer Nat specifically as a force for the mobilization of militants within the Black community. Equating Nat Turner with all Blacks, one critic remarked that "Styron shows us not a Black Nat, but a white Nat, or at best a 'colored' one, in a white world."¹⁰⁷ The same critic, apparently unaware of the Eriksonian psycho-history craze, asked rhetorically, "can other revolutionary leaders be explained by sexual-hang-up analyses; why foist it off on Nat?"¹⁰⁸ Why Styron would want to do so was clear to his critics - to rob him of his leadership and his status as exemplar.¹⁰⁹

103. Murray, *supra* note 16, at 19.

104. *Id.*

105. *Id.*

106. Loyle Hairston, *William Styron's Dilemma*, FREEDOMWAYS, Winter, 1968, at 10; *see generally* Murray, *supra* note 16; *see also* W. Francis Lucas, *Nat Turner?*, LIBERATOR, June, 1968, at 20; Killens, *supra* note 29, at 34-36.

107. Cecil M. Brown, *Books Noted* NEGRO DIGEST, Feb. 1968, at 51.

108. *Id.* On psycho-history, very popular at the time, *see generally* ERIK ERIKSON, *YOUNG MAN LUTHER* (1958); ERIK ERIKSON, *CHILDHOOD AND SOCIETY* (2d ed. 1963); LLOYD DE MAUSE, *THE NEW PSYCHO-HISTORY* (1975).

109. James Baldwin saw this "robbery" on all fronts. In describing Black-

As noted, the critics of Arendt did not care to make exemplars of the European leaders, only to rescue them from disrepute. To render acceptable what Jewish leaders did, in and out of the ghettos required demonstrating either their wisdom or their good intentions. The picture that thus emerged was one of courage and determination in the face of (near-) helplessness. The central argument of Arendt's detractors was that it was not Jewish reactions but "the intensity and character of the Nazi occupation that determined how many would be sent to their doom. . . the degree of resistance made no difference whatever anywhere in the outcome."¹¹⁰ The Jews were no more tractable or heroic than anyone else. The responses of the *Judenräte* were essentially the same as those made by other groups elsewhere in Nazi Europe. The maintenance of dignity and the sanctity of life were the keys to Jewish heroism. It was the lack of empathy on Arendt's part that led her to ignore this and, in flippant, sneering tones, to condemn the Jewish leaders.¹¹¹ Arendt's presentation in the end lacked fundamental human compassion. In the words of Joachim Prinz, a Berlin rabbi of less renown than Leo Baeck, but who had recently served as a warm-up speaker for Martin Luther King, Jr. at the 1963 March on Washington:

Man at gunpoint, Man hungry and desperate, Man anxious to live and to buy life at any price—these are situations which must be considered with more human insight and compassion than Hannah Arendt has been able to sum-

Jewish relations, he wrote: "The Jew is a white man, and when white men rise up against oppression, they are heroes: When Black men rise, they have reverted to their native savagery." James Baldwin, *Negroes Are Antisemitic Because They're Antiwhite*, in *ANTISEMITISM IN THE UNITED STATES* 127 (Leonard Dinnerstein ed., 1971).

110. Handlin, *supra* note 38, at 399-400. Handlin makes this argument most convincingly, but hardly a critic misses it. *See id.*

111. An often cited example is Arendt's description of Rabbi Leo Baeck, "former Chief Rabbi of Berlin, who in the eyes of Jews and Gentiles was the 'Jewish Fuehrer.'" ARENDT, *supra* note 13, at 105. Her critics pointed out that: a) there was no such post as Chief Rabbi of Berlin; b) very, very few Gentiles knew who he was; c) the use of the word Fuehrer was mischievous, and; d) the entire description is quoted from, but not attributed to, Eichmann's chief assistant Wiscelany. *See, e.g.,* David Boroff, *Eichmann in Jerusalem?*, *AMERICAN JUDAISM*, Fall 1963, at 20, 61 (discussing the use of "Fuehrer"). Perhaps, as a result of this criticism, this sentence disappeared from later, revised editions.

mon . . . [some] Jews, unable and untrained to revolt . . . bore their fate in dignity. . . . Some did yield to temptation, but only the heartless can accuse them. Others hoped for liberation, and in the face of such hope endured their suffering.¹¹²

Styron's critics must have known, from Franz Fanon if not from Stanley Elkins, that not all enslaved Blacks were heroic and that some did help put down disturbances, but they could not admit it or acknowledge that it was of any consequence. Similarly, the Jews rejected the rubbing of salt into the wounds. As Norman Podhoretz put it: "Cooperation has long been known. What is new is Miss Arendt's assertion that if the Jews had not cooperated in this fashion, . . . the total number of victims would hardly have been between four and a half and six million people."¹¹³ Arendt's contention that this cooperation was "the darkest chapter of the whole dark story"¹¹⁴ proved intolerable. She mocked tragic and pathetic figures; her critics asked that these figures be left in peace and that she not provide ammunition for anti-Semites.

The position of the Jews was more defensive than that of the Blacks. The Jews were afraid of providing their enemies with ammunition; the Blacks sought ammunition to use on their enemies. Black critics could not agree with Genovese's assertion that "revolutionaries do not need Nat Turner as a saint; they need the historical truth of the Nat Turner revolt, its strength and its weakness."¹¹⁵ Likewise, Jewish critics rejected Bettelheim's call for acknowledgment of dangerous human frailties. They could not accept that "under great stress . . . most people deteriorate rather rapidly, and that inhumanity could be found both among Nazis and their victims."¹¹⁶

112. Joachim Prinz, *On the Banality of Hannah Arendt*, [AMERICAN JEWISH] CONGRESS BI-WEEKLY, June 24, 1963, at 9-10.

113. Podhoretz, *supra* note 77, at 4.

114. ARENDT, *supra* note 13, at 117.

115. Genovese, *supra* note 52, at 34.

116. *Id.* See generally Bettelheim, *supra* note 57.

D. *Simplicity and Complexity*

The fourth shared issue in the debates over Styron and Arendt is the only theme on which Jews and Blacks differed. Black intellectuals seem to have had a strong case and sought to attack; Jewish literati, attacking one of their own in an uncongenial environment, sought to diffuse criticism. As a result, each group of critics was obliged to assume an opposite attitude toward the simplicity or complexity of history.

In their criticism of and attacks on Styron, Blacks propounded the position that the lessons and imperatives of history were simple; the critics wanted a simple and straightforward history with which to mobilize and energize. What defense of Styron existed emphasized the need to learn a clear lesson. In their criticism of and attacks on Arendt, Jews propounded the position, as far as the behavior of the Jews was concerned, that history's lessons and imperatives were complex. What happened with the Jews, but not with the Nazis, was such that praise and blame could not be assigned easily. It is always easier to learn a lesson about the "other" than about the "self." The "self" is normal; the "other" can be abnormal or criminal. With this understanding, Blacks reacted normally to the crimes of slavery; Jews reacted normally to the crimes of Nazism. Styron's book raised a more action-oriented question than did Arendt's. How to fight racism was much more the present day lesson of Nat Turner than how to fight anti-Semitism was of Eichmann. *Dynamism* was the impulse the Blacks wanted; *stabilization* was the impulse the Jews sought.

Black people in the Sixties needed to struggle. This was the overriding concern of Styron's critics, prompting their desire to know about and be sure of their past. They had no patience for disabling subtleties and complexities. Nat Turner was simply never forgotten by Blacks; his image and his memory had to be used to energize and mobilize the masses. Any attempt to paralyze Black people with self-doubts, ambivalences or uncertainties was seen, at best, as mischievous; at worst, as racist.

Except for the vanishing number who may have inferred the lesson on *aliyah* to Israel, few of Arendt's Jewish critics emerged with any kind of action imperative. They all took cognizance of

the need to know, but stressed the great complexity involved. Despite her profundity and irony—allegedly used to distance herself from and cast contempt on all her subjects—her critics charged that Arendt refused to appreciate the complexity of that with which she dealt.

Those who defended Styron stressed that Black people would enjoy no greater success through simplification of the past because a false image of the past could not, in the long run, serve as an effective force for mobilization and ideological development. The weaknesses and complexities of the Black past were just as important as its strengths and, unless these facets were understood, appreciated and assimilated, the past would be useless as an aid to current endeavors. Those who defended Arendt agreed with her critics in that the behavior of the European Jews was indeed a matter of great complexity—like every other historical phenomenon. Arendt's supporters saw a need and a right to know; for them complexity did not negate the obligation to explain critically. If anything was to be learned from the experience of the European Jews, then hiding behind a mask of complexity had to be disavowed. Furthermore, Arendt presumptively understood and took into account the subtleties and complexities of the situation. For some, history spoke clearly and precisely; for others, equivocally and inscrutably. For some, memory *is* history; for others, memory *impedes* history.

For Blacks, the origins of Nat Turner's rebelliousness and insurrection were very simple and clear in the repulsive circumstances of his slave existence. Any other more complex interpretation was sheer obfuscation serving the interests of a racist society. As Loyle Hairston asked:

Why then does a slave revolt? The answer to that question would seem simple enough—unless of course the slave in question happened to have been Black and his revolt was against *American* slavery. Then—lo and behold—the question takes on such extraordinary complexities it succeeds in making the rebellion a worse crime than slavery!¹¹⁷

Everyone knows that the past can serve as an image of the present, and that was why Styron and his white supporters

117. Hairston, *supra* note 106, at 7.

“failed to see Nat Turner as a hero and revolutionist, out of fear that *they might have to see H. Rap Brown and Stokeley Carmichael the same way.*”¹¹⁸ Instead of an Ulysses or even an Othello, Styron presented America with a Hamlet.¹¹⁹ Styron was wrong about Nat; and, more ominously, he was wrong to think that “only sex and insanity can motivate a Black man to a large scale assault on white lives.”¹²⁰

According to the reviewer for the professional and non-radical *Journal of Negro History*, Styron’s “complex history” offered whites one consolation and two warnings. As a consolation, “Styron implies that Negroes lack the strength and character to rebel successfully,” thereby assuring any readers worried by the summer riots of those years.¹²¹ As for warnings, “[n]egroes do not develop homicidal hatred for white people unless they live in a close personal relationship” and “[e]ducating Negroes—during Turner’s time, at least—merely frustrates them by stimulating unattainable desires.”¹²² Rather than having Turner’s hostility arise from being abused, Styron attributed it to Turner’s having been shown kindness. Thus, the seeds of revolt were in the promise of amelioration rather than in the suffering of oppression. There was no “theory of rising expectations” here. According to an African-American psychologist writing in *Psychology Today*, in Styron’s complexity “the white man’s preoccupations soon became apparent” as do “certain stereotype views of the most ardent racists,” one of which is the idea that cruelty furthers loyalty.¹²³

Styron’s critics claimed he had used complexity in order to create or recreate none other than Sambo himself—objectively to serve and perpetuate white oppression. Herbert Aptheker aptly summarized the Black critics’ rage, but also saw a clear

118. John Henrik Clarke, *Introduction to WILLIAM STYRON’S NAT TURNER: TEN BLACK WRITERS RESPOND* ix (John Henrik Clarke eds., 1968).

119. *See id.*; *see generally* Hairston, *supra* note 106.

120. Harding, *supra* note 72, at 28.

121. Darwin Turner, *Book Review*, JOURNAL OF NEGRO HISTORY, April, 1968, at 186.

122. *Id.* at 183.

123. Lloyd Tom Delany, *A Psychologist Looks at the Confessions of Nat Turner*, PSYCHOLOGY TODAY, Jan., 1968, at 11.

parallel with the Arendt school. He saw Styron's *Confessions* as part of the "[g]rowth of a literature—notably that produced by Hannah Arendt and Bruno Bettelheim—insisting that oppressors . . . succeed in *making* their victims over into the image which rationalized the efforts at victimization in the first place."¹²⁴

But perhaps oppressors do succeed; perhaps their success, no matter how short or long-lived, depends on creating the fit between ideological image and behavioral reality. Blacks were not enslaved because they were child-like, brutish, dependent, etc., but once enslaved, these qualities were fostered and nurtured until they became at least a temporary reality. Again, the critics need not have taken Styron's or Elkins' word for it; Franz Fanon documented the same personality and behavior types in *The Wretched of the Earth*.¹²⁵

In a certain sense, the Jewish case seems more impenetrable. There was no reason for the Final Solution other than the Jews' having been declared *Untermenschen*.¹²⁶ No doubt, in the situations of extreme duress that followed, many Jews acted less than nobly. But the Nazi goal was not to make the Jews *Untermenschen* so as to exploit them more easily. Rather, they wanted only to get rid of them, be cleansed of them, kill them. That much, for the Jewish critics, was clear and simple; but the behavior of the Jews, although singularly directed until almost the very end toward survival, was very complex.

Styron's defenders emphasized the oppressed people's need for the complexity of its history. Rejecting the contention that the oppressed need history for *identification and inspiration* while the oppressors need it for *justification and rationalization*, Genovese maintained that "the oppressed need history above all

124. Aptheker, *supra* note 1, at 42.

125. See generally FRANZ FANON, *THE WRETCHED OF THE EARTH* (1963) (examining the role of revolutionary violence in overthrowing psychological, as well as political, oppression).

126. *Untermenschen* means a lesser or unworthy life form. See generally MICHAEL BURLEIGH & WOLFGANG WIPPERMANN, *THE RACIAL STATE: GERMANY 1933-1945* (1991); see generally CHRISTOPHER BROWNING, *THE PATH TO GENOCIDE* (1992) (analyzing the Nazi's race-based social policy of extermination).

for the truth of what the world has made of them and what they have helped make of the world."¹²⁷ To ask what the world of America has made of the Blacks is to open a Pandora's box of complexity fraught with the dangers of self-criticism and re-evaluation. Such self-criticism and re-evaluation might be undertaken by a Fanon or a Malcolm X, but not at the instigation of a popular novel written by a white for a predominantly white audience. Nat Turner may have been torn between a New Testament desire to love, even whites, and an Old Testament passion for warfare, but the largely nationalist militants of the late 1960s saw acknowledging the former as an unnecessary and odious liability. More than anything else they had a task to perform in America, and Styron put himself in the way.

Arendt was in the way as well. Jewish critics stressed the need to learn and the need to explain as much as possible. Mary McCarthy was grateful to Arendt for providing "a harrowing of hell [which] gives it sense."¹²⁸ It was precisely this giving sense to what happened that the Jewish critics rejected—Jewish suffering could make sense only to the Nazis; for anyone else it had to be seen as gratuitous. One of Arendt's few American Jewish supporters, coming from the New Left, attacked the "myth" of differentness which kept Jews from identifying with, integrating into, and struggling against as part of their host societies. It was adherence to the victim myth, which led to the refusal to learn the lesson Arendt had offered to teach.

Arendt's hostile critics insisted repeatedly that *there was nothing to learn from The Final Solution* The anti-Semitic . . . monster myth which substitutes for Jewish history. Eichmann was a monster like the rest of the murdering *goyim* All the Germans were monsters. The Jews have always been persecuted and murdered by monsters. The entire Gentile world is potentially monstrous [T]he thread of Jewish uniqueness unwinds into the fright-

127. Genovese, *supra* note 52, at 34.

128. McCarthy, *supra* note 99, at 91. It is not entirely clear what McCarthy meant by the "harrowing of hell." *Id.* It seems to me that the last person to do this was Jesus who harrowed hell by descending into it and removing the souls of the righteous. Is this what Arendt did?

ening tangles of universal Jewish paranoia.¹²⁹

The clear lesson that this critic had in mind was one that some Israeli but no American Jews could accept—namely, that one could be *in* a society but not *of* it. One could not remain “different” and yet remain in a gentile society. Jews either had to stop being different or move out of gentile societies. It was a dichotomy and lesson too perturbing and discomfoting for American Jews to entertain in the early sixties. It was easier to discover an inconclusive and ambiguous complexity than to accept either of Bettelheim’s two lessons: 1) either be armed (be *of* this gentile society) or, do not take nocturnal strolls in Central Park (be not *in* this gentile society); and 2) do not respond to the novel totalitarian situation as if it were an old familiar situation; it is not.

For Bettelheim, the Jewish leadership did not understand the novel power of totalitarianism and responded to the Nazis with “[m]ethods that in the past had permitted them to survive. That is why they got involved with executing the orders of the state; that is why the Jewish leaders and elders, with heavy hearts cooperated in arranging things for the Nazi masters.”¹³⁰ Learning these lessons became more important than whether or not Arendt was correct in asserting that without Jewish cooperation, the Nazis would not have succeeded in killing so many Jews.

Jacob Robinson’s *And the Crooked Shall Be Made Straight* was devoted almost entirely to refuting Arendt’s assertions of Jewish complicity on the basis of complexity.¹³¹ Citing a welter of facts ignored and abused by Arendt, he epitomized the demand for complexity without challenging the essence of her theses. None of Arendt’s critics denied wanting to learn from the events of the holocaust; they merely seemed to think that nothing was to be learned from blaming the catastrophe on its victims because their actions did not effect the outcome. There were *Judenräte* members who displayed less than noble behavior; so

129. Norman Fruchter, *Arendt’s Eichmann and Jewish Identity*, 5 STUDIES ON THE LEFT 22, 35 (1965).

130. Bettelheim, *supra* note 57, at 28.

131. See JACOB ROBINSON, *AND THE CROOKED SHALL BE MADE STRAIGHT: THE EICHMANN TRIAL, THE JEWISH CATASTROPHE, AND HANNAH ARENDT’S NARRATIVE* viii (1965).

what? Many complex and contradictory events took place in the Jewish community, but Arendt's caricatures and simplifications did not illuminate anything as far as the critics were concerned.¹³² The Jews were a heterogeneous people and the reactions of their leaders varied from terrorized submission to heroic resistance. The range of situations, qualities and traditions varied a great deal, but nowhere was Jewish cooperation essential to Nazi success.¹³³ Jewish weakness was so entwined with heroism that it could not be unraveled as easily as Arendt proffered.

The critics charged that Arendt's portrayal of Jewish Council leaders as passive and collaborationist was malicious: their seemingly foolish policies could have succeeded, and in some cases, almost did succeed in saving many lives.¹³⁴ Had they succeeded would Arendt have labeled these collaborationists "heroes?" Invariably, Arendt was charged with equating being wrong with behaving criminally and, although many Jewish leaders could be charged with the former, very few could be charged with the latter.¹³⁵ For Leon Jick, the Jewish leadership suffered "the terrible dilemmas, the pathetic alternatives, the crushing dehumanization, the vicious deceptions, the agonizing choices . . . and this leadership, almost without exception, cooperated in one way or another, for one reason or another with the Nazis . . . [She lumps] together scoundrels and saints . . . in a shrill deluge of contempt without focus."¹³⁶ Indeed, at no point in her discussion did Arendt shy away from making definitive judgments. For some of her critics it was:

[n]ot possible as yet to make definitive statements on the role of European Jewry in the Nazi era, or on the merit of

132. *See id.* at 162.

133. *See id.* at 167.

134. *See id.* at 171-72.

135. As for the Nazis, Arendt's new criminality meant they were neither "perverted nor sadistic." ARENDT, *supra* note 13, at 276. Nazis broke the traditional *mens rea* model of criminality, thus Arendt urged a new category of criminal behavior be created for them. *See id.* at 277. "[Arendt] insisted that . . . the Nazis formed a new category of criminals, men and women who did not possess *mens rea*." *Id.* at 570. *See also* Lahav, *supra* note 2, at 570-71.

136. Leon A. Jick, *Hannah Arendt's Eichmann in Jerusalem*, 17 AMERICAN JEWISH ARCHIVES 162, 163 (1965) (quoting Arendt, *supra* note 13, at 125).

War Crime trials, or on the nature of Nazism. Only a philistine, parroting pat political and psychological clichés can claim to know the full answers. . . . She [Arendt] too, in her peculiarly petulant way, flings into our faces “all the answers.” This is perhaps the book’s most striking weakness. Regardless of its merits, the book is a work of what Germans call a *Besserwisser*—a know-it-all, or know-it-better.¹³⁷

Arendt’s presentation was very clever, full of paradox and moral ambiguity. It was clearly more interesting than the difficult and complex reality that her critics perceived. She found an interesting correlation between the existence of Jewish Councils and the thoroughness of the slaughter. The correlation was, in the eyes of her critics, both an over-simplification and a tendentious manipulation of facts. Her entire description of the later Council leaders was so insensitive to the variegation and complexity of those bodies that she felt them satisfactorily explained in the *thirteen* lines she devoted to them. Her critics were especially rankled on this score because of the “complex” treatment she afforded Eichmann.

For Norman Podhoretz, it seemed that to Arendt, the behavior of the Jews “explains and condemns itself” in contrast to which Eichmann needs “the most careful and imaginative attention before [he] can be intelligently judged”¹³⁸ while, for David Boroff, she took on the “tasteless role of cheer-leader for virtue, urging noble behavior on the dead!”¹³⁹ Arendt’s judgments were facile and, given the enormity of the European tragedy, unfalsifiable. A particularly embittered Ernst Simon, a German Jewish Zionist of the bi-national left, asked what Arendt’s judgment would have been had the Jewish leadership followed her advice and fled. Surely, there would have been chaos and an enormous number of victims. Even if the number of victims had been less than six million, Arendt would not have known a standard of comparison and would have cited the consequences of the leaders escaping and saving themselves while abdicating their re-

137. Konrad Kellen, *Reflections on Eichmann in Jerusalem*, MIDSTREAM, Sept. 1963, at 25.

138. Podhoretz, *supra* note 77, at 7.

139. Boroff, *supra* note 111, at 61.

sponsibility for the fate of others. "We can just about imagine the severity and ironic brilliance she would have devoted to a condemnation of those who escaped."¹⁴⁰ Particularly annoying to many of her critics was the manner in which Arendt portrayed the role of Zionist officials in Europe. In the trucks-for-Jews deal, according to American Zionist Marie Syrkin, Arendt equated "the kidnapper and those who try to ransom his victims . . . Arendt cannot present immigration activities in a positive light because that would invalidate her thesis about Jewish organizations."¹⁴¹

Why was there so little resistance? Why did there appear to be so much complicity? There was a will to live and a desire to live, a belief that survival was victory, a belief that something would yet turn up. In such a situation, the border between what helped the Jews and what helped the implementation of the Final Solution was not very clear. In its detail, it was all so confusing that only a courageous, confident and arrogant man or woman would undertake to "understand it all" and emerge with precise dicta. The social and political situation of American Jews in the mid-sixties was still not secure enough to permit such an enterprise.

Arendt herself, it turns out, was aware that the emphasis on Jewish complicity would indeed stir anti-Semitism and that Eichmann's testimony would justify the arguments of the Zionists whom she now opposed. As she put it in a letter to Karl Jaspers:

Let's assume the trial is conducted impeccably. In that case I'm afraid Eichmann will be able to prove, first of all, that no country wanted the Jews (just the kind of Zionist propaganda that Ben Gurion wants and that I consider a disaster) and will demonstrate, second, to what a huge degree the Jews helped organize their own destruction. That is, of

140. Ernst Simon, *A Textual Examination of Eichmann in Jerusalem*, 12 JUDAISM 387, 415 (1963).

141. Marie Syrkin, *Miss Arendt Surveys the Holocaust*, JEWISH FRONTIER, May, 1963, at 9. The incident referred to was the abortive attempt in later 1944 to trade trucks for Hungarian Jews. Arendt characterized the negotiations between Eichmann and Joel Brand as "mutually highly satisfactory." See *id.* Of the Zionists, Arendt said, "[t]hese Jews from Palestine spoke a language not totally different from Eichmann himself." ARENDT, *supra* note 13, at 60-61.

course, the naked truth, but this truth, *if it is not really explained*, could stir up more anti-Semitism than ten kidnappings.¹⁴²

At the very least, Arendt predicted before the trial that what she was going to do would stir up anti-Semitism—as later claimed by her critics and denied by her—but she never “really explained.” And the kind of stereotyped anti-Semitism her critics feared did indeed manifest itself.¹⁴³

E. *Perpetrators and Victims*

The fifth variable involved a *choice of focus*. Which phenomenon was the center of interest? Was interest and concern to be centered on the institution or movement which was the source of suffering, on the perpetrators, or was it to be reserved for the victims and their perceptions of and reactions to reality? In the former case, the proper focus was slavery or totalitarianism. It was the power of the oppressors that had to be appreciated. In the latter, it was slave rebellion or the attempts of the Jews to save themselves—the heroism of the rebels or the victims. At the manifest level, Arendt believed she was writing about the parties enmeshed in totalitarianism; Styron believed he was doing the same for those ensnared by slavery. But, in both cases, many believed the victims were sold short while the perpetrators were treated with curious generosity.

The slave clearly knew that he was a victim of slavery. Whatever the analysis of that system might have been, it is reasonably safe to assume that the slave believed it to be a system controlled by white people and designed to exploit his labor and control his life. Perhaps because it all happened in the course of one gen-

142. Arendt, *supra* note 87, at 417 (emphasis added).

143. For example, one prominent American Christian journal responded to Arendt's reportage not by worrying over the silence of the churches or neutral and Allied governments, but by asking:

And what about the part the Jews played in their own destruction through the willing help they offered the nazis? If Eichmann was guilty of aiding in mass murder, are not those Jews also guilty who supplied listings of the members of countless Jewish communities, in the order in which they were to be deported?

R.H. Glauber, *The Eichmann Case*, 80 CHRISTIAN CENTURY 681, 682 (1963).

eration, it is not so clear that the European Jew, especially outside of Germany,¹⁴⁴ knew what Nazism was. At first, he was entirely unaware of what the Germans wanted from him—property, labor, *Lebensraum*?¹⁴⁵ Only later did it become clear that the Germans wanted his life. It seems highly unlikely that the Jews conceived of themselves as victims of dictatorship or totalitarianism. Given their entire experience in Christian Europe, Nazism, especially to the East-European Jewish masses, must have seemed to be “just” the worst wave of anti-Semitism or pogromism of the post-World War I-Bolshevik Revolution generation.

Thus, in the controversy between Styron and his critics, the question of what the phenomenon (slavery) was did not arise. Participants in the debate argued over its effects and the valiancy, frequency and success of the rebellions against it. In the controversy between Arendt and her critics, however, the question of what the phenomenon was (totalitarianism or anti-Semitism) became quite central. Styron’s long novel described slavery in substantial detail, but he wrote primarily about a slave rebel and his rebellion. Arendt wrote primarily about totalitarianism and its protagonists.

It was quite reasonable that Styron’s critics should have found it more compelling to discuss slaves and their heroism than to discuss slavemasters or slavery. Similarly, that Arendt’s critics should have found it more compelling to discuss the European Jews and their heroism than to discuss Nazism and its structure is quite reasonable also. Most African-American critics did not want to learn about the powerful effects of the slave system; it was merely a particularly brutal form of racist exploitation and control.¹⁴⁶ Most of the Jewish critics did not want to learn about

144. In this connection, it is quite interesting that nearly all the Jews who supported Arendt were of German origin: Bruno Bettelheim, Eric Fromm, Raul Hilberg, Hans Morgenthau et al. Although this fact was mentioned in another connection, it might be relevant on this score as well.

145. *Lebensraum* is usefully understood as an expansion of the territory of a superior race through imperialism and ethnic cleansing.

146. See A. Leon Higginbotham, Jr. & Anne F. Jacobs, *The Law Only as an Enemy: The Legitimization of Racial Powerlessness Through the Colonial and Antebellum Criminal Laws of Virginia*, 70 N.C. L. REV. 969, 1022 (1992) (examining the powerlessness surrounding the system of slavery and the

the powerful effects of Nazi-totalitarianism; it had been merely a particularly brutal form of anti-Semitism.¹⁴⁷ In both cases, it was resistance rather than oppression that mattered.

Black critics, especially the more political and more militant, were not interested in the structure and dynamics of slavery as an institution. They were interested in the resistance and rebellion of their people, and in the actions of their heroes. Those few who defended Styron argued that to understand how slaves behaved, how slaves rebelled or why they did not, one must understand the structure and operation of the slave system; one must understand what the consequences were of such a thoroughly oppressive system. The chief psychic consequence was "Sambo," but, although they accepted the cruelty and inhumanity of American slavery, the bulk of Black critics refused to acknowledge the concept of Sambo-ism. It was the specter of Sambo from which they shrunk.¹⁴⁸

As noted, most Jewish critics of Arendt—the important exception being Israelis and militant Zionists—rejected her portrait of the passive, accommodating diaspora or *galut*-mentality. Nevertheless, it was a characterization whose validity was actively at issue: both European survivors and American pluralists needed to deny the debilitating effects of diaspora life, while Zionists largely affirmed it.¹⁴⁹ For Blacks, however, the subject

manner in which the criminal justice system in Virginia helped to perpetuate slavery). According to antebellum Virginia's sentencing laws, the only crime for which whites could receive the death penalty was first-degree murder, while slaves were put to death for committing sixty-eight various crimes. See *id.*

147. This latter line of analysis articulated in LUCY S. DAWIDOWICZ, *THE WAR AGAINST THE JEWS* (1975), later returned with a vengeance in DANIEL J. GOLDHAGEN, *supra* note 85.

148. See generally STANLEY M. ELKINS, *SLAVERY: A PROBLEM IN AMERICAN INSTITUTIONAL AND INTELLECTUAL LIFE* 82 (3d ed. 1976).

149. Although the Warsaw Ghetto uprising had already become something of a shining star, there was before 1967, and certainly at the time of Arendt's book, extremely little in the way of literature on Jewish resistance. Cold War pressures had in any event rendered the Left-tinged Resistance dubious. Indeed, Hilberg's 1961 *magnum opus* had stressed its absence, and subsequent editions continued to do the same. See Cohen, *Breaking the Code*, *supra* note 11, at 35. Not surprisingly, the resistance literature grew rapidly after the Six Day War of 1967. A popular watershed was the appearance of YURI SUHL ed., *THEY FOUGHT BACK* (1967). For pluralist assimilationists like Oscar Handlin,

seemed taboo; as far as I have been able to tell there was no substantial discussion at the time of a "slave-mentality" within the Black community.¹⁵⁰ The Black Muslim attack on "niggerliness" and the attacks on Uncle Tomism in general during the Sixties seem to have been directed, not at Sambos, but rather at undisciplined, lumpenproletarian behaviors.¹⁵¹

Arendt's critics defended the Israeli court against the charge that it had misunderstood the novelty and importance of Eichmann.¹⁵² They rejected the banal evil in whose successful operation all the protagonists were culpable. They charged that Arendt was wrong in not seeing maddened anti-Semitism at work. Consequently, they viewed the Jewish leaderships' analyses as correct; unfortunately, the Jews could do even less than the regular European armies to check the power and success of the Germans. They agreed with Arendt that guilt was widespread, but rather than assigning it to the Jews, they assigned it to people and governments, in Europe and America, and to bystanders who in no way attempted to stop the persecutions and genocide. This criticism was seen in the commentary surrounding Eichmann's trial in Israel. One of Arendt's critics, Prime Minister David Ben Gurion, believed that "suggestions that the Final Solution should be understood on the abstract level of crimes against humanity, rather than against Jews as Jews, and that an international tribunal should try the perpetrators, evi-

it was simply inconceivable that diaspora Jewish life diminished people. See, e.g., Handlin, *supra* note 38, at 52.

150. Ernest Kaiser explicitly rejected as "fraudulent" and "untenable" the possibility that: "American slavery was oppressive, despotic, and emasculating psychologically [such] that revolt was impossible and that Negroes could only be Sambos." Kaiser, *supra* note 29, at 54. The new 1968 edition of John Hope Franklin's classic FROM SLAVERY TO FREEDOM contained no index entries under "Sambo" and barely any discussion of docility or tractability. See generally Franklin, *supra* note 16. In the 1976 preface to the Third Edition of his SLAVERY: A PROBLEM IN AMERICAN INSTITUTIONAL AND INTELLECTUAL LIFE (3d ed. 1976), Stanley Elkins reflected on the overpowerful career of the "Sambo" concept. See *supra* note 26 and accompanying text.

151. See, e.g., ALEX HALEY, THE AUTOBIOGRAPHY OF MALCOLM X 265-66 (1964); ARNOLD RAMPERSAND, THE LIFE OF LANGSTON HUGHES: I, TOO, SING AMERICA, 1902-1941 (1986).

152. See Lahav, *supra* note 2, at 561 (discussing the stand on the Eichmann trial taken by the "American-Jewish legal professorate").

denced, quite simply, a conspiracy of silence—a denial of the Jewish perspective.”¹⁵³ For Arendt’s critics, strength lies in “Jew as Jew.”

Arendt’s supporters admitted that her examination of the behavior of the European Jews was intended to buttress her theory of totalitarianism, but argued that this was quite legitimate because it elucidated what occurred.¹⁵⁴ Totalitarianism, they argued, was a better framework for understanding Nazi Europe than the inadequate framework of anti-Semitism. Not seeing this was the crucial error of the *Judenräte* because, unlike anti-Semitism, totalitarianism was not to be compromised with successfully.

The Black critics were extremely sensitive to the Sambo image, which they equated with a “pro-slavery” position. One of the otherwise restrained critics wrote of Styron that:

He appears to have accepted the old pro-slavery image of white brutality and Black docility resurrected by psycho-historian Elkins, the father of Samboism in the interests of his Marxist-Freudian or psycho-political theory of Black castration . . . [it is] absolutely incredible that would-be soul brother Styron could so fail to appreciate what “troublesome property” [we] were. . . .¹⁵⁵

There was nothing so complicated about slavery that slaves were unable to reject. It was an important deficiency in Styron’s presentation that “the reader never really feels the mind of a man turned insurrectionist by the repulsive circumstances of his existence.”¹⁵⁶

Yet, somehow there is defensiveness to all these denials of Sambo, just as there was in the Jewish denial of passivity and complicity. For those critics who had given up on Aptheker’s strategy of maximizing the data of resistance, there was always

153. Lahav, *supra* note 2, at 559 (citing David Ben Gurion, *The Eichmann Case as Seen by Ben Gurion*, N.Y. TIMES, Dec. 18, 1960, at 6, 7).

154. Milton Katz, *Eichmann: International Problem*, 32 HARV. L. REC. 9, 9 (1961) (“[T]he specific relationship of Eichmann to the Jewish people is not an indispensable part of this case in the legal sense, although it is, of course, a vital part of it in the actual and historical sense”).

155. Murray, *supra* note 16, at 20.

156. Hairston, *supra* note 106, at 7-8.

some unease, as if lurking beneath the denial of Sambo was an uncertainty, a self-doubt: why, in fact, was there not more rebellion and revolt? Despite the comfort drawn from Kenneth Stamp's thesis,¹⁵⁷ there is a note of defensiveness even in the generally confident criticism of Mike Thelwell, who wrote that "[t]he reality of slavery was that the slaves were constantly resisting and rebelling, whether by sabotage, malingering, escape to the North, physical retaliation to attack, plotting insurrection . . . running off to join Indian tribes or forming small bands of armed guerrillas operating out of swamps and remote areas."¹⁵⁸

Yet, an obstacle still existed to "the basic revolutionary desire to overcome oppression."¹⁵⁹ That something was not just the oppressive but also a disabling system of slavery. Although the plantation was essentially different from the ghetto, let alone the concentration camp—*pace* Elkins, the slave was, nevertheless, deprived of his physical and psychological autonomy. Even if there were no doubt that Nat Turner broke through the tangle and led a brilliant and heroic rebellion, it would still be necessary to question how frequently such rebellions could have occurred. Emphasizing Nat Turner's heroism or William Styron's racism was, according to Styron's defenders, no answer to Elkins' challenge. Benjamin Quarles and John Hope Franklin, both older and professors, were the only Blacks willing to acknowledge some truth in Elkins' presentation.¹⁶⁰ And both of them belonged to a different political generation from the literati and intellectuals of the Black Power generation who led the response to Styron. For militant Blacks in 1968, the cost of acknowledging the power of the slave system, and the power giving rise to Sambos, was too high. Black racial pride had been submerged for so long that it was necessary to reject any attempt to question or lessen that pride. The urgency of the Black political and cultural movement was too great to afford the luxury of recognizing

157. See Stamp, *supra* note 42.

158. Mike Thelwell, *Back with the Wind: Mr. Styron and the Reverend Turner*, in WILLIAM STYRON'S NAT TURNER: TEN BLACK WRITERS RESPOND 79, 87 (John Henrik Clarke ed., 1968).

159. *Id.* at 76.

160. See generally Franklin, *supra* note 16.

slavery's power.

If Nazism was fundamentally and essentially anti-Semitism, albeit with the added strength of a state's modern industrialized power, then the European Jews performed about as well as their objective conditions would allow. What is to be lamented is the active and passive hostility of the gentile world and the objective conditions of Jewish existence in Europe. On the other hand, if Nazism was a different phenomenon, posing a fundamentally different threat, then the Jews performed in such a way as to abet their own destruction. If the focus is placed on totalitarianism rather than on anti-Semitism, a whole different set of political implications emerges. Totalitarianism is a threat to all of mankind. Thus, Arendt would then have been correct in asserting that Eichmann's crime was *against humanity* "on the body of the Jews" rather than against the Jews whom he had killed. Conceding this would, in turn, legitimately call into question the propriety of Israel's kidnapping and trying of Eichmann.

Daniel Bell—reading "as Jew and as philosophe"—indicated quite clearly what the implication of accepting the primacy of the totalitarian model would be: It would lead to concern with what Eichmann did rather than with what the Jews suffered and would thereby "transcend tribe and nation, seeking only the single standard of universal order."¹⁶¹ Those who focused on the Jews, therefore, were being "parochial at a time when the problem of mass murder had become universal."¹⁶² Most Jews wanted to see guilt rather than political-philosophical complexity and objected, as Oscar Handlin wrote, to "stripping the Nazis of humanity and placing them in some totalitarian universe" thereby absolving the rest of mankind "of guilt and avoiding the question 'would anyone have acted differently in the same situation?'"¹⁶³

For most critics, however, the real question was whether or not the Jews were right to see a special threat to themselves. For Nathan Eck, it boiled down to whether or not one agreed that "Arendt [et al] want[s] us to see the future dangers facing the

161. Bell, *supra* note 64, at 418, 428.

162. *Id.*

163. *Id.*; see also Handlin, *supra* note 38, at 398.

Jews merely as part of a general universal peril, but whoever asserts that the Jews are immune or were immune to any specific threat in a time of frightening general insecurity is deluding himself and others."¹⁶⁴ Despite all the non-Jews who were killed by Nazism, the story of Nazism was still the story of what happened to the Jews of Europe. Only considerably later would the "six million" turn into a more ecumenical "eleven million." Arendt's critics rejected the distinction between Eichmann's evil and the Jews' suffering; for them what Eichmann did was to make the Jews suffer, and the criminal must correspond to the crime because *he* committed it.¹⁶⁵ Whether or not Eichmann was banal had no effect on his criminality. Not having been criminal, the Jews could not be placed in the same system with Eichmann; they remained victims, not collaborators. Their existence stood in opposition to Nazism, not as a part of it, just as the slave's existence stood in opposition to slavery and not as a part of it. There was no dialectical unity of opposites. In sum, "[m]urderers with the power to murder descended on a defenseless people and murdered a large part of it."¹⁶⁶

Those critics who tended to see the Jews enmeshed in a totalitarian system supported Arendt's analysis and theses. What the Jews did, with or without malice, could only be called collaboration. The moral collapse of Europe affected the victims as well as the persecutors, and together they became part of a new historical configuration which should be learned about rather than denied. On the other side, again, according to Bettelheim, "Eichmann's deed, his trial, and his victims are all part of the same problem [totalitarianism] . . . [but] like the court in Israel it

164. Eck, *supra* note 58, at 10. I am reminded of a statement made by Isaac Deutscher in the mid-fifties to the effect that if he had in the twenties or thirties encouraged Jews to go to Palestine rather than trusting in European worker solidarity he might have saved a fair number of lost lives. See ISAAC DEUTSCHER, *THE NON-JEWISH JEW AND OTHER ESSAYS* 91-100 (1968).

165. See Lahav, *supra* note 2, at 570 (discussing Arendt's advocating the recognition of a new category of crime for Nazi criminals—one that recognized the absence of *mens rea*.) According to Lahav, "[i]t was Arendt's final objection [lack of justice in the Israeli courts], the lack of *mens rea* and the idea of the new criminal that, combined with the previous two, stung her Jewish audience." *Id.*

166. Podhoretz, *supra* note 77, at 7.

was the misfortune of the Jews . . . that they saw Hitlerism as only the worst wave of anti-Semitism."¹⁶⁷ In attempting to appease it or compromise with it, the European Jews began the collaboration which sealed their fate. In this totalitarian system, criminals and their crimes did not fit; there was indeed a sense in which Arendt claimed Eichmann was not especially an anti-Semite. Those who could not accept such a proposition rejected Arendt's characterization while those who could wondered at the "difficulty of making the criminal fit the crime."¹⁶⁸ The disproportion between the doer and the deed may be a disturbing fact of contemporary history. Again, those who saw Eichmann only as a murderous monster and genocide only as vicious anti-Semitism were missing the lesson Nazism offered because they refused to extend their vision beyond a narrow or parochial Jewish locus. Indeed, it is this question of locus which caps our discussion of both the Black and Jewish reactions.

F. *Communal Political Strategies*

The sixth and final facet of these debates might be called *future-orientation* or assessment of communal political strategy. Are security and progress to be achieved through unity and closure of the group or through embracing the "progressive" forces in the world or society at large? Is the model of a successful political strategy ethnic or "ideological?"¹⁶⁹ Is the model of a successful social strategy separatist or integrationist? If racism or anti-Semitism was construed in the two debates as not only pervasive in the world of the whites or gentiles but as a permanent

167. Bettelheim, *supra* note 57, at 23, 28.

168. McCarthy, *supra* note 99, at 89. For denials of this lack of fit, see Ezorsky, *supra* note 39, at 61; Abel, *supra* note 40, at 220, 223; Killens, *supra* note 29, at 27. A good bit of the criticism on this point was devoted to its "Germanic" quality.

169. Ethnic and ideological are not necessarily opposite political strategies. Ethnic solidarity—nationalism—can serve as a political ideology. What I mean here by ideological, however, is a set of social and political ideas, values or programs which *transcend* fixed identities such as race or peoplehood or are imagined in their place. Ideological identities need not be transient, but they are inherently transcendent. Class *might* be a fiction, but its transcendence and universality are useful and good.

feature of it, then *differentness, ethnicity, and separatism* would be favored orientations. The guideline became, is it good for the Blacks, or is it good for the Jews?¹⁷⁰ Those Black critics who supported unity and closure of the group rejected Styron and his analysis. Those Jewish critics who supported unity and closure of the group, militant or not, rejected Arendt and her analysis. In each case, the opposite generally held true as well, for Styron represented integration and, Arendt, a peculiar universalism. In both cases, the roots of a common future were in a common past, experienced or understood by or threatening those outside the group as well as those inside it.

To the Blacks who believed that whites had little or nothing to contribute to Black security, progress, or history, Styron was anathema. Black critics who regarded the Black experience as inviolable and racism as endemic or intrinsic to white society could permit Styron no entrée. Oppression of Blacks could be fought only by Blacks.¹⁷¹ Whatever appeals liberals like Styron or radicals like Genovese might make would only obscure the struggle of Black people for Black people. The Communists—*pace* Aptheker—had deluded and exploited Black people before and would do so again: the lessons of Ralph Ellison and Richard Wright were not very remote. Liberals, who had only a few years earlier shown their true intent, were not to be given another chance. The consciousness of almost all the Black cultural critics of the time was “Black Power” consciousness: militant, nationalist and separatist.¹⁷² For those who believed that the

170. See Carson, *supra* note 12, at 187.

171. See generally Murray, *supra* note 16. This exclusion included Jews as well. See, e.g., Baldwin, *supra* note 8, at 128 (“[p]erhaps one must be in such a situation in order to really understand what it is.”).

172. The Styron controversy preceded the emergence of the Black Panther sensibility, which combined national militance with a social revolutionary doctrine. The Black Panther world view eschewed nationalism and separatism and attacked Black bourgeois and capitalist elements. It is difficult to estimate what kind of inroads the Panthers made among the Black intelligentsia and literati, most of whom did not disavow bourgeois values. The acceptance of the Panther consciousness among Black intellectuals was never as great or widespread as the acceptance of the Black Power consciousness. And, of course, the female voices of the Black community—or at least their rediscovery—lay some years down the road, although a young Alice Walker, writing in the *American Scholar* referred to the book as “a typical Southern white man’s cliché.”

Black movement was doomed to fail unless there was something that some whites could contribute to Black security, progress and history, Styron was a beginning, and if not to be applauded, he was not to be despised either. Black people constituted less than twenty percent of America at the time and, although they might be part of a world wide majority, they could not improve their lot in America unless they did so in league with those whites ideologically attuned to the needs of Blacks. This minority current adopted a more sympathetic attitude toward Styron's enterprise, if not toward all of his contentions.¹⁷³

If the Blacks were in the main separatist, the Jews were predominantly parochial.¹⁷⁴ Anti-Semitism was seen as an integral part of Western (Christian) culture in its Communist, socialist, democratic, reactionary and fascist forms—although not necessarily equally in each. It is something with which Jews must, in one way or another, deal with while maintaining a Jewish locus of consciousness. The final, though not sole, question remained: "Is it good for the Jews?" As a very small minority, Jews must obviously align themselves with those whose interests they share, but always watchfully because, in the end, gentiles cannot be trusted. This layer of anxiety lay beneath the overt liberal-assimilationism of the early and mid-sixties. Thirty-five years later it looks simplistic, but there it was.

After all, Nazism did not go unopposed; only the murder of the Jews seemed to have gone unopposed.¹⁷⁵ For those few

STONE, *supra* note 2, at 125 (quoting Alice Walker).

173. John H. Franklin, whose criticisms fit into this category, was clearly of this persuasion. Hanging in his office for years was an award from one of those whites who was presumably attuned to the needs of Blacks, Lyndon Baines Johnson. And now Franklin, whose esteem within the African-American intelligentsia has rebounded and grown since those years, heads President Clinton's Commission on improving race relations.

174. See EUGENE GENOVESE, IN RED AND BLACK: MARXIAN EXPLORATIONS OF SOUTHERN AND AFRO-AMERICAN HISTORY 188-192 (University of Tennessee Press 1984) (1968). In his book, Eugene Genovese attacked both Black separatism and what he called Zionism—the tendency of Jewish intellectuals to think of themselves as Jewish.

175. Whether true or not, this view came to be predominant. See generally DAVID WYMAN, THE ABANDONMENT OF THE JEWS: AMERICAN AND THE HOLOCAUST, 1941-1945 (1984); ARTHUR MORSE, WHILE SIX MILLION DIED: A CHRONICLE OF AMERICAN APATHY (1968). The most trenchant critique is

“righteous gentiles” who proved their opposition to anti-Semitism, Jews could show the same respect and deference that Blacks show for John Brown, Thad Stevens and a few others. Perhaps slavery was, and racism is, a sin against all of mankind. But few African-American intellectuals believed that or thought that it mattered even if it did. Anti-Semitism may be an evil committed against all of mankind, but most Jewish critics did not believe it or care much even if they did. If, however, Arendt was correct about a new phenomenon, totalitarianism, then a Jewish locus of understanding is insufficient and deleterious because human conscience must be asserted immediately and individually.

There was one substantial difference between the Black and Jewish situations that cannot be left unmentioned. Whatever their memories or fears, the American critics of Arendt were prospering in a way that the critics of Styron probably envied. American Jews could afford to be more detached than the Blacks whatever future-orientation they believed in or represented. Finally, a residually Christian but increasingly white-pluralist America generally allowed those Jews willing to forsake the most egregious aspects of their ethnicity a degree of access to the broader society that was denied and continues to be denied to even the most integrationist African-Americans.

One of the more unabashed of Styron’s critics expressed his orientation quite frankly: “Tastemakers in America consist of those who hold power. We want none of their taste; we want their power Of the current dungheap of American writing we want no part. We need our own literature . . . for and by ourselves.”¹⁷⁶ Racism was viewed as endemic in white America, so endemic that it was not clear that any white could escape it. A leading Black psychiatrist and educator, Alvin Poussaint, could diagnose Styron as “an unwitting victim of his own unconscious white racism for which he alone cannot be held fully accountable,” presumably because all of white America lives in dread of the truth.¹⁷⁷ What must be done then, is “to wrest the Negro im-

that by Peter Novick, *supra* note 18, at 47-50, 290-93.

176. Lucas, *supra* note 106, at 20.

177. Alvin Poussaint, *The Confessions of Nat Turner and the Dilemma of*

age and the Negro himself from white control."¹⁷⁸

Styron demonstrated that Blacks could not expect a fair shake from white America. Columbia University political scientist Charles Hamilton concluded: "Styron's treatment reinforces what white America wants to believe about Black America. The treatment . . . turns out right for whites," and the book is a success because "it confirmed white America's racist feelings."¹⁷⁹ After comparing the original *Confessions* (taken down in 1831 by Thomas Gray, an unmitigated backer of slavery) favorably with Styron's, another critic commented that: "[t]he fascination horror of a bigot may be more compelling than the fascination anxiety of a white liberal Beyond all that the two *Confessions* demonstrate how white Americans use Black Americans, no matter what we do."¹⁸⁰

Until whites acknowledge the Black past there is no chance for a common destiny or a united future. Whites cannot help to recreate the Black past. All they could be expected to do, according to the critics, is acknowledge it when confronted by it. Similarly, whites cannot help build the Black future; all they will be expected to do is acknowledge it. One of the most important aspects of Styron's book ultimately was its demonstration of "the persistence of white southern myths, racial stereotypes and literary clichés even in the best intentioned and most enlightened minds."¹⁸¹ Styron's political sympathies were irrelevant because the Nat Turner that emerged in the novel was: "[T]he only one that could have possibly emerged from the framework out of which Styron and Genovese operate. This is to say he is the creature of whiteness, stereotyped perceptions and racial clichés" ¹⁸² The day to day behavior and attitudes of whites thus invalidated their ability to portray Black historical figures.

William Styron, in WILLIAM STYRON'S NAT TURNER: TEN BLACK WRITERS RESPOND 22 (John Henrik Clarke ed., 1968).

178. *Id.*; see also Henderson, *supra* note 67, at 75 (quoting THE NEGRO MOOD 92 (1965)).

179. Hamilton, *supra* note 33, at 73; see also Bennett, *supra* note 28, at 16.

180. Bennett, *supra* note 28, at 16.

181. Thelwell, *supra* note 158, at 91.

182. *Id.*; see also Mike Thelwell, *An Exchange on Nat Turner*, N.Y. REV. BOOKS, Nov. 7, 1968, at 34.

Any portrayal of passivity or collaboration was ignorant and self-serving racism, "intended to duplicate white America's favorite fantasies."¹⁸³ In the end, there was no place for Styron among those Blacks who advocated unity and closure of the Black community.

Those Jewish observers who saw Jewish security and progress in unity and closure did not brook Arendt's analysis and its universalist implications. They knew that the most resistance to Nazism came from the "parochial," ghetto, non-universalist Jews of the East, and that the assimilated, German speaking, universalist Jews of the West (like Anne Frank, Arendt and Bettelheim) were the most ostrich-like.¹⁸⁴ What strength there was lay in particularism. The resistance in any particular area was ostensibly proportional to the unity of the Jewish people and the coherence of the community. It was a sense of Jewish solidarity, not of universalism, which led to survival. Like those Blacks who chose separatism, most Jewish critics refused to accept an indictment of their past which threatened the efficacy of an ethnic world-view. Daniel Bell characterized the two approaches as that of the "philosophe" and that of the "Jew" and called for a balance between them.¹⁸⁵

Most Jewish critics, however, saw themselves as the plaintiffs in the case of Nazism and were far more interested in the satisfaction of the plaintiff than in the formulation of the law. Only the Israelis and those marginally connected to things Jewish could accept Arendt's charge that the structure and coherence of the European Jewish communities led to passivity toward and collaboration with the Germans. Too many of the critics had

183. Brown, *supra* note 107, at 51.

184. Wendy Brown, *Rights and Identity in Late Modernity: Revisiting the "Jewish Question,"* in IDENTITIES, POLITICS AND RIGHTS 108 (Austin Sarat and Thomas R. Kearns eds., 1995). Brown asks: "To what extent is the power of a humanist fiction of universality affirmed as the mantle of generic personhood sought by the historically disenfranchised? How is the metonymic operation of the generic person obscured by the increasingly wide distribution of his political attributes? How can the invidious dimensions of universalist claims be contested even as the historically disenfranchised seek a place under their auspices?" *Id.*

185. Bell, *supra* note 64, at 429. Of all the critics in the dispute he was, it seems to me, virtually alone in achieving such a balanced view.

ethnicity as a crucial part of their identities and commitments to acknowledge that, in the modern world, it might be dangerous or wrong. There had to be unity of the people because there was no one else to trust; the Jews of Western and Central Europe trusted in others and so they were the first to go. Universalism may sound superior to parochialism, but it was not clear that the safety of humanity could be found there or founded on it, through law or otherwise.

By extension, Arendt's attack on Jewish leadership and organizations in Europe was an attack on the organization of Jews everywhere and perhaps on the particularism of the Jews themselves. For Podhoretz:

The Jews in Miss Arendt's . . . version of the story are a people curiously without psychology (except . . . leading to self destruction), a people . . . without a history (except of the disabling sort) Whether it be going to their death or running a country, or prosecuting a trial—a mere glance at them is enough . . . [for] judgment, always adverse . . . I doubt that Arendt would ever declare that if the French had not been organized into a nation-state, they could never have been sold out by Pétain and Laval.¹⁸⁶

At a time when almost all other groups were reasserting their national-ethnic identities, it was asked of the Jews to be “better, braver, wiser, nobler and more dignified” and to give up theirs.¹⁸⁷ They certainly would not do it for Arendt.

There was not a single Black voice in the Styron debate willing to give up the unity and closure of the Black people. Though not all “separatist,” no Black critic was willing to give up Blackness in exchange for a larger universalist identity. Although a substantial number were willing to give some whites a chance to prove their intentions, the whites would have to come to them and recognize their group identity. Integration, no; mutual recognition and mutual respect, perhaps. Groping toward a workable group identity (in the mid and late-Sixties) the Blacks were in no mood to submerge it into something “broader” which, whether liberal or leftist, would probably be white.

186. Podhoretz, *supra* note 77, at 7.

187. *Id.*

Nor were Black intellectuals inclined to hear about their alleged past weaknesses from a white southerner. In all of the literature of the time, I have uncovered only three or four exceptions. The reviewer for the NAACP, as noted, found Styron's *Confessions* seriously deficient but did not disparage his attempt to understand Blacks and Black history.¹⁸⁸ As an integrationist he could not, but even his viewpoint was marked by ambivalences: "Whites often sympathized with the Negro during the more than two centuries of slavery and more than one hundred years of the Jim Crow system that replaced slavery. . . . [Still,] an accurate, meaningful account of Nat Turner's life must wait another day."¹⁸⁹ Summing up the Black reaction to Styron, Eugene Genovese's description may well have been right. *Confessions* "stamped Styron as an integrationist—which for some may be his ultimate crime [The Black reaction] shows the extent to which the American intelligentsia is splitting along racial rather than ideological lines."¹⁹⁰

The permanent tension in Jewish life between a narrow ethnic locus and a broad universalist locus appeared in the evaluation of Arendt. The relationship between these two currents in Jewish life has sometimes been symbiotic, sometimes antagonistic. In the Arendt case, the "chosen people" locus and the "light-unto-the-nations" locus stood in antagonistic contradiction. Several Jewish critics rejected these narrow loci and thereby aligned themselves with Arendt's analyses and implied prescriptions. These critics saw a single threat confronting all of mankind and sought a universal law or standard with which to brave that threat. The place of Jewishness in the universalist *Weltanschauung* (worldview) was minimal for Arendt. As she put it, "I have always regarded my Jewishness as one of the indisputable factual data of my life . . . I have never in my life 'loved' any people or collective, [only] persons. I do not 'love' the Jews nor do I 'believe' in them; I merely belong to them as a matter of course."¹⁹¹

188. Muse, *supra* note 49, at 103.

189. *Id.*

190. Genovese, *supra* note 52, at 36-37.

191. Arendt, *supra* note 98, at 53-55.

Perhaps the Jews of Europe would have been less collaboration-prone had they shared Arendt's view of ethnicity, or even Bettelheim's, in which no special feeling in favor of fellow Jews was shown. These critics who believed in or desired a universalist locus were not interested in the safety of the Jews but rather in the safety of humanity. The clearest example of this position was offered by the early New Leftist, Norm Fruchter, who charged that Jews wanted to assimilate into (the worst part of) American society but also to remain Jewish. Yet,

[O]nly the myth of his separateness as a member of the tribe marked for eternal suffering as victim, and reverence for Israel . . . can differentiate him from other Americans. [Religious and social values] were displaced by the pressures of middle-class Americanization The victim myth suggests an unending dangerous uniqueness which replaces the continuities of political and economic conflict.¹⁹²

Arendt challenged these two bases of identification— anti-Semitic persecution and Israel—and, given the demise of Jewish religious and community values in America, left nothing as an American Jewish locus other than a neurotic sense of differentness. For Fruchter, Arendt proved the uselessness and invalidity of Jewish identification for which he proposed to substitute viable ideological identities moving toward a universalist world order. Each citizen has a responsibility to prevent the (re)emergence of totalitarianism. But,

once a Jew accepts his definition as “different,” he seeks a commensurate identity which places him somewhat outside the bounds of his normal society [and] diminishes his responsibility for events within America Arendt suggested that Jews are not exempt from the responsibility to confront their society and to maintain its freedom.¹⁹³

Whatever its merits, the call for a universalist identification managed to find verification and consolation in Arendt's analysis of the behavior of the European Jews.

192. Fruchter, *supra* note 129, at 23.

193. *Id.* at 42. Fruchter seems to have been more automatic than problematic in connecting universalism with radicalism.

V. CONCLUSION

In the years since the appearance of each of these two works, the Black and the Jewish communities have changed substantially in their social and political orientations, including their orientations toward the bitter past and toward each other. The Black cultural offensive has continued, though its forms have changed substantially. The defensive posture of the Jews became more apparent and has of late taken a noticeably conservative turn—there is much to protect.¹⁹⁴ Although it may be an exaggeration to say that a cautious multiculturalism has become the dominant worldview of African-American intellectuals, it is clear that militant separatism peaked shortly after the Styron affair.¹⁹⁵ Twenty-five years of complex politics has changed much while leaving much the same.¹⁹⁶ The ghetto seems quieter if in no less a state of squalor. A host of aspiring Black-and-bourgeois intellectuals has moved from the soapbox to the lectern, and preferential admissions policies have increased the number of Black students in higher education.¹⁹⁷ What effect

194. LEONARD DINNERSTEIN, *ANTISEMITISM IN AMERICA* (1994).

195. See HENRY LOUIS GATES, JR., *THIRTEEN WAYS OF LOOKING AT A BLACK MAN* (1996); HENRY LOUIS GATES, *THE FUTURE OF THE RACE* (1996); CORNELL WEST, *RACE MATTERS* (1993); ADOLPH REED, JR., *W.E.B. DUBOIS AND AMERICAN POLITICAL THOUGHT* (1997); ADOLPH REED, JR., *RACE, POLITICS AND CULTURE: CRITICAL ESSAYS ON THE RADICALISM OF THE 1960's* (1986); Julius Lester, *The Angry Children of Malcolm X, in BLACK PROTEST THOUGHT IN THE TWENTIETH CENTURY* 469 (August Meier, Elliott Rudwick & Francis I. Broderick eds., 2d ed. 1971).

196. There have been a number of recent efforts to assess the current state of Black America. See generally, WILLIAM JULIUS WILSON, *THE TRULY DISADVANTAGED: THE INNER CITY, THE UNDERCLASS, AND PUBLIC POLICY* (1987); ORLANDO PATTERSON, *BLACK AND WHITE* (1997); ANDREW HACKER, *TWO NATIONS: BLACK & WHITE, SEPARATE, HOSTILE, UNEQUAL* (1992).

197. Affirmative action, while beyond the scope of this discussion, ranks high among the issues affecting Blacks today. A wealth of literature has been produced debating the subject and its underlying assumptions. For articles criticizing affirmative action, see RICHARD D. KAHLENBERG, *THE REMEDY: CLASS, RACE, AND AFFIRMATIVE ACTION* 42, 46-47 (1996); John E. Morrison, *Colorblindness, Individuality, and Merit: An Analysis of the Rhetoric Against Affirmative Action*, 79 IOWA L. REV. 313, 314 (1994); Derrick Bell, *Xerxes and the Affirmative Action Mystique*, 57 GEO. WASH. L. REV. 1595, 1598 (1989); CHARLES T. BANNER-HALEY, *THE FRUITS OF*

this change in the status of Black intellectuals has had on the Black perception of Black history is hard to assess in brief. There has been a real outpouring of Black history and Black studies literature in the past thirty years. College and university courses in Black history have been widely demanded and obtained.

Clearly, if Styron's novel were to appear for the first time now, it would still meet with the same hostile reception it received thirty years ago. Perhaps, however, it would meet with less white enthusiasm than it did then. In higher education and literature, there is now an incomparably greater Black presence. In 1968, one of Styron's critics wondered if "the likes of Styron have won the race to tell the history of the slaves."¹⁹³ At that time it seemed that they had but, judging from the literature of the past several years, it is far from clear. It is unlikely that any substantial number of Blacks can or will ever accept Styron's portrayal of passivity, collaboration, Samboism, etc., in the life and times of Nat Turner. People always need heroes and an oppressed people doubly so. Whatever the future may hold in store for the African-American people, it will be a very long time before it will be able to afford the luxury of debunking its heroes. That time is still a long way off, no matter how dramatically the study of American slaves and slavery has changed over the past thirty years.

If the demand for Jewish and holocaust studies at many universities is any indication, then a growing number of Jews have

INTEGRATION: BLACK MIDDLE-CLASS IDEOLOGY AND CULTURE, 1960-1990, 54, 66 (1994); DERRICK BELL, AND WE ARE NOT SAVED: THE ELUSIVE QUEST FOR RACIAL JUSTICE 140-61 (1987); Richard Delgado, *Affirmative Action as a Majoritarian Device: Or, Do You Really Want to Be a Role Model?*, 89 MICH. L. REV. 1222, 1226 (1991). But see CHARLES R. LAWRENCE III & MARI MATSUDA, WE WON'T GO BACK: MAKING THE CASE FOR AFFIRMATIVE ACTION 181 (1997); Deborah C. Malamud, *Affirmative Action: Diversity of Opinions: Affirmative Action, Diversity, and the Black Middle Class*, 68 U. COLO. L. REV. 939 (1997). For a discussion of anti-Jewish admission policies, see John D. Lamb, *The Real Affirmative Action Babies: Legacy Preferences at Harvard and Yale*, 26 COLUM. J.L. & SOC. PROBS. 491 (1993).

198. John A. Williams, *The Manipulation of History and of Fact*, in WILLIAM STYRON'S NAT TURNER: TEN BLACK WRITERS RESPOND 49 (John Henrik Clarke ed., 1968).

come to feel that they too have been robbed of important parts of their past.¹⁹⁹ In light of the prosperity and success of American Jews since the Sixties, this would seem odd. Both escape from and immersion in various forms of Jewish identity have been prominent over the last generation.²⁰⁰ Perhaps recent enthusiasms are copy-cat projects, encouraged by a structure of opportunities set in place primarily for African-Americans and other minorities but of which American Jews are able to avail themselves. Perhaps the cultural capital of victimhood at the end of the millennium is such as no one could have anticipated when Hannah Arendt produced her portrait of a despised and pathetic European Jewry.²⁰¹

What were American Jews like in the Sixties? In this paper, I have drawn at least two somewhat conflicting sketches of the American Jewish scene in the early Sixties. Both were true.²⁰² In public policy, Jews were committed to liberalism, secularism, meritocracy and equality of opportunity; avowed ethnicity was quaint; it was the era of the melting pot. Beneath it all, however, there was guilt and wariness. Guilt was one of the roots of the hostility shown Arendt. Guilt for not having helped the Jews of Europe and guilt for not having explained the holocaust to one's children were at the root of the public shock and surprise shown, for example, when Arthur Morse's *While Six Million Died* and David Wyman's *Paper Walls* appeared in 1968, both underscoring the inactivity and malign neglect of American Jewry and the American government. The Jews of the early sixties were also engaged in making America safe for the Jews—an extension of a half-century long process. The Jews of the later Sixties were engaged in keeping it safe, even at the cost of moving from liberalism to conservatism.²⁰³ "Is it good for the Jews?" reemerged as,

199. See LEONARD DINNERSTEIN ET AL., NATIVES AND STRANGERS: A MULTICULTURAL HISTORY OF AMERICA 338 (1996) (discussing the "alacrity" with which American educational institutions responded to the desire for courses concerning the ethnicity of white groups).

200. See NOVICK, *supra* note 18, at 307.

201. The novels of Philip Roth in some ways chronicle this ambivalent evolution.

202. See generally LEONARD DINNERSTEIN, UNEASY AT HOME: ANTISEMITISM AND THE AMERICAN JEWISH EXPERIENCE (1987).

203. The expulsion of non-Black and especially Jewish activists from SNCC

not just a question which was first among equals, but as one that was clearly first. What would be the reaction to Arendt's theses were they first published now? I think the reaction would be pretty much the same now as then. If anything, the "inward" turn of American Jewry might guarantee a hostile reception. The Jews of America still need to see their lost brethren as martyrs and innocent victims.

Citing Merleau-Ponty, one of the Black critics remarked:

History takes still more from those who have lost everything and gives more to those who have taken everything. For its sweeping judgments acquit the unjust and dismiss the pleas of their victims. History never *confesses*.²⁰⁴

Maybe it does—if the confession is wrung from it by the vigilant, and if the victims come to have their partisans.

started the process which broke through the dikes with the New York City teachers' strike of 1968, the urban insurrections and riots of '68-'70 which especially affected Jewish *petits commerçants*, etc. . . . but, this is another topic What the future holds in store is open to any number of optimistic or pessimistic interpretations. See generally JONATHAN REIDER, CANARSIE: THE JEWS AND ITALIANS OF BROOKLYN AGAINST LIBERALISM (1985) (detailing the oscillation between optimistic universalism and nervous provincialism); JIM SLEEPER, THE CLOSEST OF STRANGERS: LIBERALISM AND THE POLITICS OF RACE IN NEW YORK (1990); Cornell West, *Walking the Tightrope: Some Personal Reflections on Blacks and Jews*, in STRUGGLES IN THE PROMISED LAND 411, 415 (Jack Salzman & Cornell West eds., 1997) ("So in the midst of disrespect and degradation, I promote the practical wisdom of dialogue—that thin reed in the whirlwind of our times doomed to strong lip-service and weak action that stakes a high moral ground in a cynical age.").

204. Bennett, *supra* note 28, at 3.