

3. The Temptations of Lying

Lying is by no means a new phenomenon of human action. It is practised in both the private and the public realm, as well as in politics. Psychological research has shown that we lie as often as 200 times a day, while Austrian scientist Peter Stiegitz introduced the scientific study of lies or mentiology. It distinguishes five forms of lying: the self-deceptive lie to suppress uncomfortable truths; the white lie to keep friendship unharmed; the prestige lie to impress people; the anxiety lie to avoid the disagreeable consequences of one's own actions, and the unscrupulous lie to deceive, disadvantage, misinform or mislead others for self-benefit.¹ One could add the obsessive, pathological lie or *pseudologia fantastica*, as in the case of a man in Switzerland who dressed as an orthodox Jew in the 1980s and 1990s, inventing and living out a life story as a child survivor of the Holocaust in Auschwitz.²

A lie cannot exist without the truth. It is a “parasite of the truth”³, its opposite and frequently its partner. In ancient times, Plato approved of lying to others for the benefit of the common weal.⁴ During the Renaissance, Baldassare Castiglione's *The Book of the Courtier* declared dissimulation to be the duty of courtly conduct, while Machiavelli saw lies and violence as a legitimate means of domination in defence of the republic and Torquato Accetto, whose work *On Honest Dissimulation* was published in 1641, recommended placing a “veil of honest darkness” over life's sad truths. In modern times, Leo Strauss distinguished between the philosopher's truth reserved

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- 1 Werner Stangl Mentilogie, in *Online Lexikon für Psychologie und Pädagogik*. <http://lexikon.stangl.eu/6008/mentilogie/> (2022/10/3).
 - 2 Daniel Ganzfried ... *alias Wilkomirski*. *Die Holocaust-Travestie. Enthüllung und Dokumentation eines literarischen Skandals*, Berlin Jüdische Verlagsanstalt 2002.
 - 3 Simone Dietz *Die Kunst des Lügens. Eine sprachliche Fähigkeit und ihr moralischer Wert*, Reinbek Rowohlt 2003, pp. 43–44. – Maria Bettetini *Eine kleine Geschichte der Lüge. Von Odysseus bis Pinocchio*, Berlin: Wagenbach 2003.
 - 4 Plato: *Politeia*, Book III.

for the ruler and pious myths and illusions, i.e.⁵ religion and morals, alleged to be good for the masses.⁶

Philosophy was more purist: St. Augustin refused to accept lies or any excuse for lying, while Kant strongly declared with reference to metaphysics and politics that lies always harm someone else, “if not some other particular man, still it harms mankind generally, since it vitiates the source of justice”⁷. With this argument he rejected Benjamin Constant’s reasoning that lying would be legitimate if a murderer, for example, were to enquire about the location of a potential victim.

Nietzsche, on the other hand, adopted a radically different perspective. Rebellious against conventional morals and the corresponding practices, he considered lies to be business as usual and truth a construct of illusions. “This art of dissimulation reaches its peak in man. Deception, flattering, lying, deluding, talking behind the back, putting up a false front, living in borrowed splendour, wearing a mask, hiding behind convention, playing a role for others and for oneself – in short, continuous fluttering around the solitary flame of vanity.” According to Nietzsche, men “are deeply immersed in illusions and in dream images; their eyes merely glide over the surface of things and see ‘forms’. Their senses nowhere lead to truth; on the contrary, they are content to receive stimuli and, as it were, to engage on the back of things. “What then is truth”, asks Nietzsche, and replies: “A movable host of metaphors, metonymies, and anthropomorphisms ... Truths are illusions which we have forgotten are illusions – they are metaphors that have become worn out and have been drained of sensuous force...” And he concludes that we are dealing with a “great columbarium of concepts, the graveyard of perceptions”⁸. It is not Nietzsche’s intention here to nihilistically question all access to truth, but rather to offer the stoic man of reason to lay aside “his masterpiece of deception” and “with dignified, symmetrical features” even “when a real storm cloud thunders above him”, to walk “with slow steps ... from beneath it”. In other words, not to be a slave to concepts and the game of creating them, but to acquire instead the independence of the non-conformist in both thought and action.

This is the path Arendt chooses. Unlike Kant’s formal analysis and Nietzsche’s perspective of cultural and epistemological criticism, Arendt concentrates on the lie as a political phenomenon, simultaneously discussing the existential-philosophical

5 Leo Strauss: *What is Political Philosophy and other Studies*. Chicago: University of Chicago Press; New ed, 1988.

6 See Robert Pippin: “Strauss believed that good statesmen have powers of judgment and must rely on an inner circle. The person who whispers in the ear of the King is more important than the King. If you have that talent, what you do or say in public cannot be held accountable in the same way.” Cited in: Hersh, S. M.: *Selective Intelligence*. Donald Rumsfeld has his own special sources. Are they reliable? In: *The New Yorker*, May 12, 2003.

7 Immanuel Kant: *On a Supposed Right to Tell Lies from Benevolent Motives*, 1797.

8 Friedrich Nietzsche: *On Truth and Lies in a Nonmoral Sense*, 1873.

dimensions of the lie and the truth. This against the backdrop of the heated debate on her report of the Eichmann trial in Jerusalem, an experience that confronted her with the significance of factual truth and truth-telling, and the exposure of the truth about the Vietnam War waged by the United States in the 1960s and 1970s, which led her to raise the question of the temptation to lie in politics. We cannot ignore that the lie in the guise of a so-called “post-truth” has currently taken on a new form. Can Arendt’s analysis help us to deal with the lies that are prevalent in contemporary politics and society today?

In answer to this question, I will discuss firstly, Arendt’s position on truth and lies in politics and human existence, secondly, the new “post-truth” phenomenon of fake news, conspiracy theories and populist propaganda, thirdly, the underlying conditions of this post-truth and where they differ from those of the political lie Arendt faced in her time, and finally, I would like to present Arendt’s concept of qualitative pluralism as an effective antidote to “post-truth”.

Arendt’s Position on Truth and Lies

Arendt’s essay on “Truth and Politics” was published in 1964, shortly after her report on the Eichmann trial appeared, while “Lying in Politics” came out in 1971 following publication of the Pentagon Papers by the *New York Times*. Each essay was a response to a current debate. Arendt regularly responded to the challenges of the day and saw this as her civic responsibility, one that forced her to think, to judge and, at least as an observer and author, to act. In the course of a discussion with friends she declared: “What is the subject of our thought? Experience! Nothing else! And if we lose the ground of experience then we get into all kind of theories.”⁹ All her writings were triggered by current events.

The two essays are closely linked. Given Arendt’s pathos about a new beginning and about political action, anyone who hopes to find a definition of politics that is bound to truth and effectively excludes lying will be sorely disappointed. Her two basic insights on truth and lies are: The truth is apolitical, whether it appears in the shape of historical facts, i.e. as factual truth that is immovable and cannot be destroyed by any attempt to conceal it, or in the shape of a conviction, as a truth of reason, which, pronounced to be the only valid truth, becomes tyrannical and apolitical, and is directed against human plurality. Error, illusion, or pure opinion are the opposite of the truth of reason; the opposite of a factual truth is a lie.

In comparison to truth, lies are structurally closer to action. “The deliberate denial of factual truth – the ability to lie – and the capacity to change facts – the ability

9 Hannah Arendt: On Hannah Arendt, in: Melvyn A. Hill (ed.): *Hannah Arendt: The Recovery of the Public World*, New York: St. Martin’s Press 1979, p. 308.

to act – are interconnected; they owe their existence to the same source: imagination.”¹⁰ Action and lying come from the same mental source, a place in the mind where we distance ourselves from reality and truth. When Arendt defined *enlarged mentality* in her posthumous writings as the capacity to imagine an abundance of plural opinions through which common sense is set in motion and universally valid judgements are made, she knew it also had the potential to serve the development of non-plural thinking, disparate judgements, dissimulation and concealment from the public eye. Hence her statement on thinking as dangerous, but not thinking as far more dangerous, clearly evidenced in the case of conformists or careerist bureaucrats such as Eichmann.

The truth can be uncomfortable and is not always convenient. In everyday life, a small lie tends to be the lubricant that prevents processes from stalling. Not always telling the truth, not saying everything that could be said, forms the basis of our daily dealings and political diplomacy. It allows for smoother cooperation. But there are factual truths that dare not become the victim of diplomacy: historical truths such as the genocide of the Armenians by the Ottoman authorities, or the mass murder of Jews under the German Nazi government. In Arendt’s view, denying these facts means watering them down into opinions so as to strip the truth of its mandatory nature. There is a strong link between the conscious negation of facts and action, which is generally guilty of negating facts in the interests of unfettered behaviour. Here, one advantage the liar has is knowing beforehand what people want to hear, which is often something much more plausible, more appealing to reason, than reality.¹¹ The ardent nationalist cannot accept the fact that the Armenians were massacred as security measures of the Ottoman Empire. The fact that the Vatican pursued a pro-fascist policy during World War II was highly unpleasant for many Catholics after the war, while the French were reassured by the declaration that despite the shameful collaboration with Nazi Germany, France belonged to the victors. Since historical facts – bare facts – always require interpretation, they are vulnerable. Arendt’s portrayal of Eichmann and of the Jewish councils caused an outcry among the survivors: her report on his trial in Jerusalem described Eichmann not as a monster, but as someone whose inability to question or think for himself manifested itself in the trite language he used, which was riddled with clichés. Arendt described the cooperation of the Jewish councils installed by the Nazis in the occupied countries as a very dark moment in Jewish history. Facing up to these uncomfortable truths caused her tremendous anguish. The portrayal of Eichmann as a monster and of the victims as completely innocent would have been much more palatable. In a letter to Arendt, her friend Helen Wolff quoted from the speech delivered by Socrates

10 Hannah Arendt: Lying in Politics, in: *Crises of the Republic*, San Diego et al.: Harcourt Brace & Company 1972, p. 5.

11 *Ibid.*, p. 6.

in his own defence: “Don’t be angry with me when I speak the truth”¹² – but many were angry with her. Since time immemorial, the bringer of bad news has always been punished. Those who succumb to this threat, however, are treading dangerous ground: “What is at stake here is this common and factual reality itself, and this is indeed a political problem of the first order.”¹³

In summary, according to Arendt this means that “our ability to lie – but not necessarily our ability to tell the truth – belongs among the few obvious, demonstrable data that confirm human freedom. . . . It is this freedom that is abused and perverted through mendacity.”¹⁴

A striking example of this is the lie about the Tonkin incident that led to the United States engaging directly in the Vietnam War, supposedly in self-defence. This lie was used for propaganda at home and especially for the purpose of deceiving Congress. New in the context of the Vietnam era, according to Arendt, was then dispensing with the idea that reality had to be concealed by a lie. Instead, facts and opinions were manipulated to such an extent that the difference between truth and lie was no longer visible. It was all about the *image* of the invincible United States. Warfare had detached itself completely from reality and depended on “problem solvers”, cyberneticists and futurologists. Unlike the lie as a parasite of truth with expert knowledge of it, the Vietnam War and its transformation of the truth also bore witness to the loss of the reality of the war and the conditions in Southeast Asia at the time. Deceiving the opposition and the voters led to self-deception, the most dangerous form of lie.¹⁵ The American president, surrounded by advisors, seemed to be the very person who was most manipulated and most isolated in his own country.

In Arendt’s analysis, three protagonists are responsible for the derealization and fiasco of the Vietnam War: the intellectuals who were keen to act politically as problem solvers, the isolated and unsuspecting president, and the lack of monitoring activities by the senate, all of which made it impossible for the separation of powers to work effectively by enabling criticism, defending the truth and putting a stop to derealization.

Already the fundamental difference between these circumstances and the current “post-truth” situation is apparent. I will address this in the next section.

12 Hannah Arendt *Wie ich einmal ohne dich leben soll, mag ich mir nicht vorstellen. Briefwechsel mit den Freundinnen Charlotte Beradt, Rose Feitelson, Hilde Fränkel, Anne Weil und Helen Wolff*, ed. by Ingeborg Nordmann and Ursula Ludz, Munich Piper 2017, p. 593.

13 Hannah Arendt: Truth and Politics, in: *Between Past and Future*, New York: Penguin 2006, p. 232.

14 *Ibid.*, p. 246.

15 *Ibid.*, p. 249.

The New So-called “Post-truth” Phenomenon with Fake News, Conspiracy Theories and Populist Propaganda

The Vietnam War lie was a lie organized by the ruling circles and their intellectuals in the sense of Leo Strauss, and we encounter it again in the amateur lie about the alleged weapons of mass destruction in Iraq, which the United States proclaimed in the UN security council in 2002 to justify their planned invasion.

Current lies are quite a different matter. No longer presented by the government for the alleged good of the nation, lies are now a double act: practised by politicians and certain sections of the population. Their common aim is to change the balance of power, not by using the enlightening nature of truth-telling to defend reality, but on the contrary by de-realizing reality with the help of lies. Communication developments through the Internet using social media allows for information exchange and the creation of pressure groups to a hitherto unknown extent and with breathtaking speed. The Australian political scientist John Keane coined the term “post-truth” to describe the obvious transgression of the standard of truthfulness valid up to now. A “post-truth” differs from a lie in this case, whereby a lie is merely one of several means of confronting the truth with other truths, with “alternative facts”, as US President Trump’s advisor Kellyanne Conway called them. Factual truths are dissolved into opinions and vice versa, opinions become facts, alternative facts. During his first presidential year, Trump made 2000 false statements, that is between five and six each day. According to Keane, “post-truth” consists of lies, bullshit, buffoonery, gaslighting, and endless exaggeration.¹⁶ This characterization applies notably to the United States government, which has abandoned the traditional relationship between truth and lie.

Israeli sociologist Eva Illouz claimed that Trump mocks “any principle and any axiom of communicative action and rationality in the public space: He lies constantly and disregards the principle of at least giving the impression of speaking the truth. He challenges the validity of science and consequently the existence of objective criteria by which competing claims can be evaluated. He vigorously challenges the notion of a common world for all men and women. For him, there is only one world, comprised of people who support him and his interests – his denial of global warming is but one example of this. His communication with other nations shows that he is not even interested in pretending to work towards a common understanding.”¹⁷ Whether Mexico, the EU, NATO, North Korea or China – Trump’s statements change constantly for no plausible reason. He never tires of emphasizing that regardless of the challenge he is the greatest, the most knowledgeable and the best. “He gives his own personal feelings free rein, be they feelings of hurt or the desire for revenge,

16 John Keane: *Reflections on Post-Truth*, conference at the WZB, 17 January 2018.

17 Eva Illouz Interview, in *Frankfurter Allgemeine*, 30 January 2017.

making him a private person in charge of the country.”¹⁸ In a similar manner, populist parties and politicians in Europe seek to destroy truth with propaganda: Marine Le Pen’s fake news videos to discredit state media during the electoral campaign; at a time when thousands of Syrian refugees were arriving in Germany, the newspaper report falsely claiming that the young daughter of Russian immigrants had been kidnapped and raped by men who looked like Arabs, which led the Russian community in Berlin to call for a mass demonstration; the designation of the media as “the lying press” and the denial of global warming; the claim by a growing number of people, 15 000 to date, that the German Empire had never been dissolved and that therefore no one in Germany today was obliged to follow the rules of the authorities (many in this group are armed, one police officer has been killed to date).

The boundaries between truth, lies, denial of reality, invented facts, and anti-Semitism and racism are blurred. It is only a short step from the xenophobic assertion that Germany has become the target of Islamization to the racist claim that refugees are causing a demographic transformation that will culminate in the genocide of the “white race”. Conspiracy theories thrive in such a climate and are highly effective when it comes to undermining truth and reality: from the “Protocols of the Elders of Zion” to the alleged truth about 9/11, or the claim that the condensation trails left by planes are in reality “chemtrails” laced with chemical additives to reduce the size of the population. In contrast to lies, conspiracy theories offer an enclosed parallel world in which nothing happens by chance, nothing is what it seems to be, and everything is connected to everything else. The conspirators are the elites, ranging from the Queen, the Rothschilds, and the German chancellor to the Illuminati or freemasons, or all of them combined. Those who enter these parallel worlds are largely impervious to criticism, and the critics are part of the conspiracy, further confirming its existence.¹⁹

The Conditions that Led to “Post-truth” in Contrast to the Political Lie that Arendt Faced in Her Time

I have already discussed the fundamental distinction between a state lie and the enlightening nature of truth-telling in defence of reality, in contrast to populist lies that see politicians and certain sections of the population working together in an attempt to destroy reality. How come this strategy is so successful within large parts

18 Ibid.

19 Leonie Feuerbach Das Muster der Verschwörung, in *Frankfurter Allgemeine*, 30 October 2017. See also Michael Butter “Nichts ist, wie es scheint” *Über Verschwörungstheorien*, Berlin Suhrkamp 2018.

of the population? Eva Illouz interprets Trump's election not so much a "result of ideological convictions (apart from a minority), but rather of an immense rage that has accumulated in American society without an addressee."²⁰ Unlike in Arendt's time, criticism here does not serve constructive change for the future. On the contrary, it serves to reject change, not in the sense of utopia or heterotopia, but *retrotopia*, to borrow Zygmunt Bauman's term. In his view, the current historical phase is marked by "back-to tendencies", "notably the rehabilitation of tribal models of community, the resort to the image of an original/unspoiled 'national identity', whose destiny is predetermined by non-cultural factors and those that are immune to culture." This tendency is enhanced by the prevailing belief in the social sciences and among popular opinion that "there are essential, non-negotiable *sine qua non* preconditions for a 'civilizing order'".²¹ This popular but illusionary notion of a cast-iron cultural identity has now reached racist circles, with the "Identitarian Movement" in Austria, Germany and France demanding that all peoples should stay in their own nation.

The Edelman Trust Barometer survey carried out in twenty countries in 2017 found a high degree of insecurity among the population and a lack of trust in the media and information. 63 % said they were unable to distinguish between quality journalism and fake news; 80 % feared that fake news would influence elections, and 50 % listened to the news less than once a week.²²

According to Bauman, *retrotopia* is the result of a general uncertainty caused by the delimitation of job markets, wars and migration, political and social insecurities, the end of an optimistic future, or indeed of a safe future, and the death of the great narratives such as liberalism or socialism. Furthermore, familiar values and role behaviour are undergoing a shift. In Eastern Germany, for example, a fundamental insecurity of middle-aged and older men has been observed with regard to their role behaviour following the reunification of Germany. They in particular are the men who support right-wing parties and movements.²³ Their *retrotopia* emerges where former male values predominated, such as physical strength, leadership and the binary problem-solving form of the either-or alternative. Everything Eva Illouz described in her Adorno lectures in Frankfurt in 2004 about "feelings in capitalist times"²⁴ disconcerts these men: the therapeutic society and its narrative of personal responsibility and self-realization, the vast attention given to the role as victim, emotionalization of the product world and de-emotionalization of privacy, as

20 Eva Illouz: Interview, op. cit.

21 Zygmunt Bauman *Retrotopia*, Berlin Suhrkamp 2017, pp. 17–18.

22 *Edelman Trust Barometer*, <https://www.edelman.com/trust-barometer> (2022/10/3)

23 Martin Machowecz Oh, Ostmann! In *Die Zeit*, 29 September 2017.

24 Eva Illouz *Gefühle in Zeiten des Kapitalismus*, Frankfurt/M. Suhrkamp 2007.

well as the “transformation of the public arena into a showcase for privacy, emotion and intimacy”.²⁵

This general sense of disconcertion leads to a longing for unambiguousness, not for plurality, interdependencies and relations, but rather for the either-or truth, the *I* among the *We* against *Them*, the others. It is the search for a truth that lies in unambiguousness and interprets reality from this perspective and sensitivity.

In the quest for unambiguousness there is a rejection and active combatting of all things insecure: experts, the media, refugees, the European Union, the Euro and referendums for greater economic cooperation, for example with Ukraine. It is easy to find like-minded people on the Internet and create a comfort zone, an echo chamber, a hall of mirrors. “Free from the unsettling and discouraging cacophony of reality, the comfort zone is a place where nothing else is heard but the noise produced by oneself, nothing is seen but the reflections of what is similar to oneself.”²⁶ Here, the feeling of sovereignty and control returns; likewise the sense of no longer being a helpless victim, but one with the right to defence by any means. The emotion that sustains this self-isolation is rage for its own sake; when it turns to violence, then for the sake of violence. Ordinary citizens are capable of attacking their fellow citizens with hate and lies in a manner hitherto unknown.²⁷

On the political level, this orientation leads to a revoking of plurality and the splitting of society. Populist movements declare themselves to be the genuine representatives of the “people”, at the same time excluding all others as non-people and as enemies of the people. Since a society’s democratic-republican constitution rests on and institutionalizes the plurality of both opinion and action, revoking it inevitably weakens its institutions. This is clearly visible in the current efforts of populist governments in Poland and Hungary to undermine the separation of powers to the advantage of the executive. Arendt’s statement that freedom is the meaning of politics implies that without the practice of plural, diverse thought and action, freedom would wither away.

Liberalism, at least in its characterization by Rawls, fails to provide a viable alternative.²⁸ Up to now, we have for the most part seen inventories of democratic

25 Ibid., p. 160.

26 Zygmunt Bauman: *Retrotopia*, op. cit., p. 184.

27 See the report of a German journalist who was constantly persecuted because he reported as an eye-witness on the terrorist attack in Nice and a short time later from the terrorist attack in Munich, but at the same time rejected conspiracy theories which claimed that the attacks were organized by an international conspiracy in order to conquer the world. Richard Gutjahr, in: *Die Zeit*, 18 January 2018, p. 6.

28 See Regina Kreide: The Silence of Political Liberalism, in: *Eurozine*, 31 May 2016, <http://www.eurozine.com/the-silence-of-political-liberalism/> (2022/10/3) See also the criticism of neo-liberalism and its disastrous depoliticizing consequences for Europe by Jan Zielonka: *Counter-Revolution. Liberal Europe in Retreat*, Oxford University Press 2018.

institution deficits in terms of legitimacy and agility, including *Post-democracy* by Collin Crouch and *Democracy without Demos* by Catherine Colliot-Thélène. Thoughts on greater participation have been suggested by Claus Leggewie, for example, and a reform of the electoral system in favour of the lottery procedure proposed, among others, by David Van Reybrouck.²⁹ There is, however, an absence of ideas that see this era of change as the interrelationship between globalization, *retrotopia*, and a shift in economic and political power at international level.

Since *retrotopia* is directed against a globalization that affects us all, it is a global occurrence rather than a phenomenon exclusive to a number of individual states. It merges with traditional autocracy methods of organization and forms sustainable governments. As John Keane points out, the focus of international trade and the global economy is gradually shifting eastwards, to a region extending from Turkey and Saudi Arabia to India, Southeast Asia and China, where economic growth rates will have the potential to give legitimacy and stability to “despotisms”, as Keane calls them. This process is enhanced by the fact that Europe’s strength and importance for the global economy and world politics is diminishing to a similar degree. The same holds true for the United States in the wake of the Obama administration. This vast region in the East is clearly not pursuing the long tradition of European Enlightenment or an enlightened understanding of politics, so that neither Tocqueville nor Montesquieu can help with absorbing the situation.³⁰ Keane observed:

These despotisms ... have their own ‘reality’ – we resemble the blind men examining different part of an elephant’s body in the dark and on the basis of traditional knowledge attempting to grasp what kind of creature it is. Undoubtedly, we need to rethink the old concept of despotism. We erroneously tend to perceive despotism as a political system in which violence vents its fury unrestrained ... New despotisms are different, more subtle, much more efficiently organized and focused on stability.³¹

Are we dealing with a new form of despotism? Are we in the same situation as Tocqueville, who at the intersection of aristocracy and democracy was forced to admit that “Our heritage was left to us without a testament”?

Arendt’s concept of qualitative pluralism marks a position beyond neo-liberalism and authoritarianism, that is, beyond a quantitative interpretation of pluralism

29 Collin Crouch: *Post Democracy*, Cambridge: Polity 2004; Catherine Colliot-Thélène: *Democracy and Subjective Rights: Democracy Without Demos*, Colchester UK: ECPR press 2017; Patrizia Nanz / Claus Leggewie: *Die Konsultative. Mehr Demokratie durch Bürgerbeteiligung*, Berlin: Wagenbach 2016; David Van Reybrouck: *Against Elections: The Case for Democracy*, London: Bodley Head 2016.

30 John Keane Die neuen Despotien. Vorstellungen vom Ende der Demokratie, in *Merkur* 69 (790), 2015, pp. 18–31.

31 *Ibid.*, pp. 29f.

as merely a multitude of different people and opinions, on the one hand, and beyond the desire for simplification and unambiguousness, on the other. The seemingly extreme juxtaposition of an unlimited mass and a restriction on diversity through leadership leaves room for the collective and the individual, but not for distinction and personality. In her book *The Human Condition*, Arendt defined the “fact of human plurality” as “the basic condition of both action and speech” and characterized this plurality as “the twofold character of equality and distinction. If men were not equal, they could neither understand each other and those who came before them nor plan for the future and foresee the needs of those who will come after them. If men were not distinct, each human being distinguished from any other who is, was, or will ever be, they would need neither speech nor action to make themselves understood.”³² This existential duality is the basis of civilized society. Its institutions, the separation of powers, the public realm and any form of opinion-making must guarantee room for its development. As a matter of interest, the concept of plurality also contradicts that of the sovereign nation state in favour of the federation concept as a further pivotal form of vesting the powers of government in separate bodies.³³ Arendt is certain that the stubbornness of facts is superior to all power constellations. Even totalitarian ideology, with its large-scale attempt to substitute reality entirely with its compelling logic, failed.

But this calls for protagonists to defend truth and reality. The proximity of the necessary interpretation of factual truths to grasp their meaning and the falsification of facts to avoid unpleasant consequences clearly testifies to the importance of the independence of those who judge. Journalists and historians must remain independent and cannot become lobbyists. Their personalities hinge on their veracity, their integrity and their independence. They help persistent facts to withstand power. It seems promising that the Edelman Trust Barometer found that despite considerable confusion, 2017 saw an increase in people’s confidence in experts and quality journalism.

Arendt compared the impartial judgment of the historians with that of judges, and also with that of witnesses and professional journalists.³⁴ The separation of powers, and the independence of the judiciary, guarantees not only the impartiality of jurisdiction but also, in its field of competence, the space of truth. Therefore, the attacks of autocrats against the constitution and the independence of the judiciary are so alarming. They undermine truth in favour of the arbitrariness of majorities.

32 Hannah Arendt: *The Human Condition*, Chicago: Meridian 1958, p. 156.

33 Cf. chapter 13 in this volume: Federalism – A Hidden Treasure.

34 Hannah Arendt: Truth and Politics, op. cit., p. 255.

Therefore the calculated attacks against the independence of judiciary weaken the key elements of the republic: democracy, human rights, and the rule of law.³⁵

And Arendt adds another aspect: it not only holds true for professional journalists, judges and historians, but for all of us, the citizens who shape civil society by our actions and judgements. The basics of a republic, which once were discussed and adopted by constitutionally established authorities like parliaments and courts, have to be discussed critically time and again. Just as freedom only exists when it is practiced, other republican values can only be defended when they are discussed and reinforced anew in concrete contexts. Why is torture generally forbidden, even though you think under certain circumstances it might be able to rescue a life? Why is there a right to asylum even when hundreds of thousands make use of it at the same time? Why does a republic need an independent judiciary? Why do we allow freedom of speech, even for views that we cannot agree with at all?

Finally, Arendt speaks of the “joys and gratifications of free company” which “are to be preferred to the doubtful pleasures of holding domination.”³⁶ This joy is the emotional side of independent judgement, and what unites these men and women here is their discerning ability to judge not only other people’s opinions but also the quality of other people. With whom we want to be together, does not depend on political programmes or declarations, but on the personality of others, on their integrity. The idea goes back to Kant and before him to the early Enlightenment. It clearly contradicts our values and our practice of utilitarianism, our individualism and conformism and our only quantitatively understood plurality. This is the path Arendt offers as a solution to the current crisis.

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35 Susanne Baer, judge at the Federal Constitutional Court in Germany, declared at a meeting of the Venice Commission: “The talk and acts that need to worry us today are not just critical. Rather, they are attacks on the foundation of constitutionalism, with the intent to do away with courts that deserve the name. This happens when people, or governments, refuse to comply with rulings from the ECHR or reject the very idea of the ICC, which keeps happening. Then such fundamental rejection, which is different from critique, is not the problem of that one court alone. Rather, it is the problem of all who care for constitutionalism.” Council of Europe (ed.): *Venice Commission: Joint Council on Constitutional Justice. Mini Conference Courageous Courts: Security, Xenophobia and Fundamental Rights*, Karlsruhe, Germany, 19 May 2017, p. 17.

36 Hannah Arendt: *Truth and Politics*, op. cit. p. 242.