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# The Architecture of Genocide

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*All bids for purity sediment dirt, all bids for order create monsters.*

Zygmunt Bauman<sup>1</sup>

*The survivors of the extermination camps, the inmates of concentration and internment camps, and even the comparatively happy stateless people could see without Burke's arguments that the abstract nakedness of being nothing but human was their greatest danger.*

Hannah Arendt<sup>2</sup>

*Society is not how it appears.*

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<sup>1</sup> (2003: 133)

<sup>2</sup> (1968: 300).

## Abstract

The central purpose of this thesis is to reinterpret the crime of genocide. To accomplish this task, I explore genocide by external and immanent critique. An external critique means comparing genocide as a policy to other kinds of contrasting practices which rest upon different standards of value than those which substantiate genocide. An immanent critique entails turning the language, intensions and consequences of genocide in on itself by evaluating this policy from within the governmental authority's own standards of value. To establish a basis for this critique, I first explore the history of genocide in international law and politics, and critically evaluate its current conceptual meanings within genocide studies. I argue for a reading of genocide that is consistent with the work of Rafael Lemkin, while exploring the limits of other approaches. Secondly, I address the theories of genocide and argue for a conceptual distinction between war and genocide. I then establish a central proposition of the thesis: that genocide is a deeply paradoxical policy in two essential respects; one concerning victimology, and the second involving the perpetrators' intentions. I explore these two paradoxes through a comparative examination of the genocides in Rwanda (1994) and in the Ukraine under Stalinism (1930-33). To account for these paradoxes, I then turn to an examination of the form of government empirically most associated with genocide: totalitarianism. Through an examination of Arendt's theory of politics and totalitarianism I show how genocide is fundamentally opposed to authentic politics because of how this policy divergences from positive law. Through this analysis of genocide and law, I argue for a new understanding of genocide in topographical terms, which specifically entails that genocide is a policy that collapses political and social space. I explore how a policy of genocide constrains the purposes of subjective action in perverse and puzzling ways. Finally, I examine this collapsed topography by analyzing the language underpinning genocide—its 'grammar' and 'speech'—and revealing some sociological patterns in which this language functions.

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## Declaration

I declare that that the thesis presented here has been composed by myself and that the work is entirely my own.

## Acknowledgements

This thesis has not been a solitary project. It was influenced by discussions with many people over several years. The most important and rewarding experiences shaping this thesis has derived from my position as a student of Law at the University of Edinburgh. This thesis has benefited significantly from the comments by my supervisors Dr. Emiliios Christodoulidis and Dr. Richard Jones. The thesis has also benefited from discussions with some important scholars of genocide: Eric Markusen, Rene Lemarchand, Steven Jensen, and Henry Huttenbach; all of whom I encountered through the Centre of Holocaust and Genocide Studies at the University of Copenhagen.

The moral support from my love Susanne and friends were the indispensable foundations for this enduring inquiry into disturbing, horrific and perverse events. By far the most significant moral incentive that has carried this thesis through has derived not just from a position to receive support, but also to offer a new form of love to the most significant person in my life, my daughter Electra.

Most importantly, without the financial support from my parents, my love Susanne and the University of Edinburgh this thesis would never have been initiated nor completed.

## Chapter One

### Genocide: the Creation of a Global Concept

*Genocide has two phases: one, destruction of the national pattern of the oppressed group; the other, the imposition of the national pattern of the oppressor.*

Raphael Lemkin<sup>1</sup>

#### *Introduction: Genocide and Statelessness*

In 1941, Winston Churchill had referred to the atrocities occurring in Europe as “a crime with no name” (Churchill quoted in Jensen, 2003: 9). The world had to wait until 1944 for Raphael Lemkin, a jurist and scholar from Bialystok in Eastern Poland, to create a term that could categorize these events; he called it *Genocide*. Initially, Lemkin understood genocide as a problem confronting the comity of nations, as an action imposed upon nations or groups from other foreign nations, rather than as act committed upon one’s own citizens (Chalk and Jonassohn, 1990). Further reflecting upon such acts following the Second World War revealed that the crime of genocide was a global problem that threatened the existence of many minority groups. Lemkin’s new concept therefore confronted a uniquely global problem pertaining to nation states and their treatment of peoples within their borders. His insights about an old crime with a new name contained an amount of receptivity that persuaded a post-war audience to confront the failures of past efforts to ensure the protection of minority peoples. Even though, in certain cases, these efforts to conventionalise Lemkin’s vision were inspired by national self-interest, they eventually culminated into the United Nations’ creation of the Genocide Convention (UNGC) on December 9, 1948.

Beginning in late 1946, Lemkin’s broad understanding of genocide was embraced by the original draft of the convention, proposed by Saudi Arabia. However, following the adoption of General Assembly Resolution 96(I) in December 1946, it soon became clear that “any international consensus on the scope of genocide would be considerably more narrow” (Schabas, 1999: 152). This narrowing of Lemkin’s understanding would help to ensure the success of the convention and eventually led to the United Nations Convention on the Prevention and Punishment of Genocide that

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<sup>1</sup> (Lemkin, 1944: 79).

came into effect in 1951. The importance of this convention in part addressed a history of international agreements that failed to protect the existence of minority groups. One need not look far beyond the League of Nations to see that attempts at upholding minority treaties to secure the civil (but not political) rights of stateless groups after the First World War were completely fruitless. The internal political pressures of the time, constituted by the occurrence of nationalist and ‘minority’ revolutions seeking self-determination combined with the preponderance of imperial and international movements sponsored by larger nations, meant that nation states systematically discriminated against their minority populations. Consequently, the appearance of minorities and a growing refugee movement also created serious problems for the stability of moderately sized nations in Eastern and Southern Europe.

These forces posed problems to the then emerging idea of what Zygmunt Bauman has called the trinity of “territory, state and nation” (Bauman, 2003: 132). This “globally binding norm” meant that nation-states hubristically assumed “the prerogative of a metropolis to set the rules by which the periphery should live” and enforced the observance of rules without governing consent of their minority populations (2003: 132). Minority peoples and international movements were obviously threatened by this trinity in a number of ways, that is by the denial of civil and political rights. Yet, what all peoples explicitly recognised was that without a territory no group could survive; a territory with no nation-state was a place not worth inhabiting; a nation without a state became an absurd anomaly which seemingly accepted the choice of voluntary disappearance or execution, since they did not possess the means of violence that would ensure protection and civil rights; and a state without a nation, or a state with more than one nation, was a residue of times past that faced the likelihood of perishing if it was incapable of ‘modernising’ (that is, homogenising). This thinking not only further inspired movements of self-determination, but also established a convention among nation states that they were embroiled in a struggle to maintain ‘national purity’. As Bauman describes,

The dirty monsters of the era of the promotion of the territory/nation/state trinity were nations without states, states with more than one nation, and territory without a nation-state. It was thanks to the threat and fear of those monsters that the sovereign power could claim and acquire the right to deny rights and set such conditions for humanity as a great part of humanity, as it happened, could not meet (Bauman, 2003: 133).

Faced with excluded populations in states governed by these new principles, a crisis situation formed in regions where new nations lacked the very conditions necessary for a desired ‘nationalist’ stability—a homogeneous population or culture rooted within a particular geography governed by a state. Following World War I, attempts by the League of Nations to face this “nationality problem” culminated in the creation of peace and Minority Treaties that would ensure that peoples lumped together under a single state would be equal partners in government, which in reality proved to be absurd.<sup>2</sup> Rather than solving the stateless problem, these treaties effectively exacerbated statelessness. More importantly, Minority Treaties made apparent that

only nationals could be citizens, only people of the same national origin could enjoy the full protection of legal institutions, that persons of different nationality needed some law of exception until or unless they were completely assimilated and divorced from their origin (Arendt, 1968: 275).

Since many western states were exempt from the obligations established in these treaties, they became increasingly resented by newly created states as they betrayed the promise of an equal status of national sovereignty amongst European nations.<sup>3</sup> This strain in relations meant that compliance with these treaties was non-existent and destroyed any impetus to grant civil rights to groups that were unwelcome elsewhere in Europe. The granting of political rights by these new states to more than 100 million Europeans, who had never reached the stage of national freedom and self-determination under old European aristocratic systems, was predicated upon excluding about 30 percent of their own residents. As a consequence, many minorities had little faith in the League of Nations, since it was composed largely of statesmen sympathetic to the new breakaway or revolutionary governments and strongly favoured minority assimilation into the nations where they resided.<sup>4</sup> As all nations refused to seriously address this problem, it served to convince the 25 to 30 million strong minority populations in Europe that the only route to securing political and human rights was

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<sup>2</sup> In 1921, the Yugoslav constitution was “accepted” despite all the Croat and Slovene members voting against. As well, the Slovak’s struggle against the Czech government incited interest and received support from other movements and governments (Arendt, 1976: 270 fn.).

<sup>3</sup> Johannes Morsink (1999) states: “One of the problems was that the states that had been made to sign a Minority Treaty felt like second-class citizens of the League in comparison to the other states which had no such restrictions put on their sovereignty. This two-tier system led to distrust and resentment” (1012).

<sup>4</sup> The French and British delegates strongly favoured this position, cf. C McCartney (1934) *National States and National Minorities*, pp. 276, 277; also Arendt (1976: 272-73).

through full national emancipation.<sup>5</sup> These emancipation efforts signified that nation states feared ‘ideological struggles’ which resembled those of the International Brigades in the Spanish civil war. This situation, favouring new national sentiments in societies of diverse and increasingly mobile cultures, served to exacerbate the problems of statelessness and allowed states to increasingly exclude minorities under the rubric of national security. Statelessness, as it legally excluded those defined by group affiliation, thus added further credence to racist discourses and other exclusionary rhetoric, all of which affirmed the pariah status of many European groups.<sup>6</sup>

It soon became clear that minority treaties, particularly in the case of the Jews and Armenians, not only failed to provide protection to these groups, but also, paradoxically, “could serve as an instrument to single out certain groups for eventual expulsion” and allow the exercise of colonial methods of rule into European affairs, which was something many imperial movements had always desired (Arendt, 1968: 282). This production of outlaws—people beyond the legal protections granted to citizens by states—seemed like the “expression of some unredeemable stupid fatality”, where peoples were denied rights as national citizens within their own national and territorial origins (1968: 267). This demonstrated not only the victory of the nation—the principle of an ever-present homogeneous culture rooted in common ideals—over the state’s basis within the rule of law (as Nazi ideology had forecasted<sup>7</sup>), but also gave nation-states the ability to create stateless persons by denaturalising those “who were a threat to the social order” (Arendt, 1968: 279). Where national movements sought the exclusion of these populations, there followed the concomitant production of millions of stateless peoples, most of whom could not be repatriated, since neither their country of origin nor any other state would accept hordes of destitute stateless persons. Mass

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<sup>5</sup> Minorities themselves were not a passive mass as one might assume by my description. They organized a “Congress of National Groups in European States” to address their particular national concerns (Arendt, 1976: 273-90).

<sup>6</sup> This status was affirmed not only on the national level of states, but also on the community level by segments of the local population. For resentment of such immigrants in the Jewish community of Cologne, see Martin Doerry (2004: 6).

<sup>7</sup> Adolf Hitler stated that “Since the State in itself is for us only a form, while what is essential is its content, the nation, the people, it is clear that everything else must subordinate itself to its sovereign interests” (Hitler quoted in Lemkin, 2002: 39).

naturalization was not contemplated<sup>8</sup> and traditional naturalization procedures proved to be an inadequate solution since no European civil service could cope with the scale of the demand. Likewise, the political desires to force domestic and regional integration of minority peoples in their regions of origin meant that the situation of discrimination and exclusion of stateless persons served a political function by discouraging people to flee in the first place. Overall, this crisis excluded millions of people from the protections of law in their genuine place of origin, targeting them not only for discrimination, but also, as the end of the Second World War would reveal, for annihilation. To both states and their local populations, stateless peoples seeking refuge were considered the scum of the earth.

The efforts to enact a resolution preventing and punishing genocide was one way the United Nations sought to confront the failures of the past and also to address contemporary challenges regarding the plight of minorities and stateless persons. As Lemkin wrote in 1947

By declaring genocide as a crime under international law and by making it a problem of international concern, the right of intervention on behalf of minorities slated for destruction has been established (Lemkin, 1947: 150).

Although the efficacy of upholding the obligations to intervene on behalf of minorities has been seriously questioned in light of the many episodes of genocide committed by states, the creation of a fundamentally new crime and international convention has not been without promise. The United Nations intervention in the Sudan is an on going attempt to prevent the systematic destruction of minority groups in Darfur within the parameters set out in the genocide convention. In this respect, the concept of genocide became central to the mission of the United Nations in confronting the failures of the League of Nations to protect minority groups. In 1948 the General Assembly passed the following resolution:

Genocide is the denial of the right of existence of entire human groups, as homicide is the denial of the right to live of individual human beings; such denial of the right to existence shocks the conscience of mankind, results in great losses to humanity in the form of cultural and other contributions represented by these groups, and *is contrary to moral law and to the spirit and aims of the United Nations* (UNGC quoted in Chalk and Jonassohn, 1990: 9; emphasis added).

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<sup>8</sup> The only exceptions to this prevailing trend was the naturalization *en bloc* of Greek refugees from Turkey in 1922 and the naturalization of Armenian refugees fleeing Turkey to Syria and Lebanon (Arendt, 1976: 285 fn.).

Despite the centrality of Lemkin's concept to the character of the United Nations, these ideals of safeguarding the constitution of groups were not fully implemented in the way he had initially envisioned them in his book *Axis Rule in Occupied Europe* (1944). From the start, the United Nations downplayed the element of ethnocide or cultural genocide—the destruction of a culture by non-lethal means—that was a significant part of Lemkin's vision. Yet, the resolution, at least initially, also expanded the definition of genocide to include political groups as potential targets of genocide—a category not explicitly set out by Lemkin<sup>9</sup> (Chalk and Jonassohn, 1990). However, after protests from Soviet and Eastern Bloc delegates and the behind-the-scenes compromise by other Western powers to preserve the convention, political groups were excluded from the definition of genocide. The following article from the United Nations Genocide Convention (UNGC) became the core definition of genocide:

Article II

In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:

- (a) Killing members of the group;
- (b) Causing serious bodily or mental harm to members of the group;
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction on whole or in part;
- (d) Imposing measures intended to prevent births within the group;
- (e) Forcibly transferring children of the group to another group (UNGC 1951).

The essence of Lemkin's vision is somewhat preserved in the resulting convention, but only in so far as it protects groups against physical destruction. To add greater depth to this examination of genocide the question that needs to be addressed is how the UNGC relates to Lemkin's vision of genocide.

Many scholars have criticized the omission of political groups from the United Nations' final draft, along with the accompanying concept of "cultural genocide"—intentional acts destroying language, religion, and culture (Fein, 1993: 11). In the effort to reach an international consensus, this idea of protecting a group's culture took on a distinct physical connotation of destruction as the principal element constituting genocide. In fact, so dominant was the physical element of genocide that it eventually

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<sup>9</sup> For Lemkin, these non-physical aspects of genocide did not apply to political, cultural or social groups as such, but pertained to the rights of groups to practice these capacities as a distinct group. Lemkin's own unpublished ideas on the subject suggested he "did not consider political groups as targets" of genocide (Fein, 1993: 11). Rather, 'groups' for Lemkin were effectively national, racial, religious or ethnic in nature.

colonised the way in which nations think about the destruction of groups. As Schabas correctly notes, the convention “merely lamented the cultural loss occasioned by physical genocide, without necessarily suggesting that the destruction of culture...might also amount to the crime of genocide” (Schabas, 1999: 152). As we shall see, one central divergence between Lemkin and the UNGC pertains to the acts of non-physical genocide.

From an examination of Lemkin’s published and unpublished writings it is clear that he understood that an act of genocide can encompass both physical and non-physical forms of violent destruction. Lemkin does qualify the terms of this definition, but in a way that has added to some confusion which pertains to the issue of physical genocide. The ambiguity in Lemkin’s text arises from what is understood to be the principal aim of genocide. Lemkin states:

Genocide...is intended rather to signify a coordinated plan of different action aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves (Lemkin, 2002: 27).

From this widely quoted passage, one might assume that the “aim” of genocide is physical destruction of a group in its totality. However, in the following sentence Lemkin states:

The *objectives* of such a plan would be disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups (Lemkin, 2002: 27; emphasis added).

What Lemkin means in these passages is that genocide represents the annihilation of the foundations of groups using a range of techniques from the biological (the prevention of reproduction) to the eradication of cultural practices. Physical death is therefore neither the absolute, nor necessary condition for genocide—a point which is incongruent to how it is defined in the UNGC. However, some scholars like Fein have argued that the general thrust of the UNGC suggested that physical genocide was the mainstay of Lemkin’s idea of genocide. Fein argued that the “objective of genocide was both the social disintegration and the biological destruction of the group” (Fein, 1993: 9). Thus, violent operations of “coerced assimilation without killing...was not cited by Lemkin as genocide” (1993: 10). In the next section I want to take issue with this interpretation as it pertains to how Lemkin’s insights are employed for the

scientific study of genocide, making it necessary to describe what exactly constitutes the *actus reus* of genocide.

### *The Reification of Genocide*

More often Lemkin's work is noted in passing as the source of the concept and influential contributor of the Genocide Convention, but rarely does his work feature in an evaluation of current theorising. What I want to show here, however, is that the spirit of Lemkin's treatise, as it was described in his work *Axis Rule in Occupied Europe* (1944), is only partly compatible with Article II of the UNGC and has become materially defined in terms of physical annihilation. The ramifications of this reification of the term have significantly influenced how scholars have investigated and defined genocide.

Lemkin derived the term genocide from combining the ancient Greek word *genos* meaning race or tribe, and the Latin *cide*, meaning killing. The Latin ending was designed to configure the term with the existing paradigm of killing, as exemplified by the terms homicide and infanticide. Lemkin saw the need for this term based within "the realities of European life in the years 1933-45" when the "Nazis had embarked upon a gigantic plan to change permanently the population balance in occupied Europe" (Lemkin, 1947: 147). This reference to both the term genocide, which contains the suffix 'cide' and to the Nazi policy of physical extermination has meant that the *actus reus* of genocide pertains to physical annihilation, even though this meaning is not accurately representative of his own work. This is more evident when we consider the inspirations for this concept of genocide.

Even before the events of the Second World War, Lemkin viewed European expansionism in critical terms, particularly concerning their overseas colonial exploits (McDonnell and Moses, 2005). A recent examination of Lemkin's still unpublished writings reveals that he was deeply interested in colonial genocides of the Americas and how various techniques or kinds of oppression contributed to the demise of indigenous groups. Lemkin came to model genocide not only on the German occupation and oppression of European peoples, but also based on the concern of groups under repressive occupations. Prior to the revelation of the scale of German atrocities and the paradigm of the Holocaust, Lemkin was concerned particularly with what he called "Germanization" as a strategy of genocide in political, social, cultural,

economic, biological, physical and religious terms. The very nature of these endeavours were not only derogatory and oppressive of groups, but crucially for Lemkin they were genocidal—oppressive expansionism fundamentally destroyed, in biological and cultural terms, the constitution of these groups. Thus, genocide was conceived as “techniques” which interrupted the biological, political, social, cultural, economic and religious spheres of human groups (Schabas, 1999: 151). Lemkin thus derived the meaning of genocide from these studies in oppressive occupations, which explains why even non-lethal acts that compromised the existence of a group’s cultural or political constitution, such as forced assimilation of indigenous peoples as occurred most notably in Australia and the Americas, could be seen as acts of genocide. From these writings it is clear that Lemkin

regarded the extinction of culture as genocide. It [genocide] did not require the entire physical extermination of the victims, only the elimination of the culture-bearing strata. As he wrote elsewhere, the “permanent crippling” of a people was tantamount to genocide (McDonnell and Moses, 2005: 514).

The spirit underlying Lemkin’s understanding of genocide as methods of strategic intervention is that groups lose their existence when they are prevented from constituting themselves through the practice of politics, sociality, religion and economic production. His intent to criminalise these patterns of strategic violence meant to signify the moral importance of these specific capacities which constitute groups. By proclaiming a convention which intends to sanction such acts, Lemkin was attempting to convince us that the violent techniques which undermine these capacities are morally abhorrent. Thus, a commitment to punish these actions serves to sanctify these specific capacities of groups. Thus, convincing states to accept this criminalisation constitutes an effort to build a conventional understanding of the constituting features of a human group.

The success of Article II has meant that this spirit to guard the constituting capacities of groups from the onslaught of the techniques of cultural annihilation has not only been overlooked, but also has become reduced to the material element of killing. Another way this spirit may have become convoluted is by a certain reading of Lemkin’s own text. For some, like Fein, the “annihilation of the groups themselves” signifies that physical extermination is the central method by which kinds of cultural destruction occur (Lemkin, 2002: 27). The central contention surrounding Lemkin’s statement concerns what we take ‘annihilation’ to mean. Even if interpreted in terms of

its Latin etymology—annihilation meaning to “reduce to nothing”—one still is left with the interpretation of whether the termination of biological or a group’s social or political constitution constitutes genocide. Yet, only by assuming that annihilation means biological extermination, can one have understood that genocide primarily involves physical, rather than other distinct forms of cultural destruction. What may account for this confusion centres on Lemkin’s later discussions surrounding the UN resolutions in 1947.

This ambiguity surrounding Lemkin’s original usage of the term genocide and its interpretation through and following its codification in the UNGC may also be aided by Lemkin himself during his involvement with the United Nations. In 1947, Lemkin’s discussions as to the use of the term genocide solely employ the term ‘destruction’ when reflecting on Germany’s conduct and treatment of minorities during the war. With the revelations of systematic extermination, and trials of senior Nazi officials, the physical-annihilation element of genocide was emphasized and privileged over other techniques cited in his earlier work. Lemkin wrote:

The crime of genocide involves a wide range of actions, including not only the deprivation of life but also the prevention of life (abortions, sterilizations) and also devices considerably endangering life and death (artificial infections, working to death in special camps, deliberate separation of families for depopulation purposes...(Lemkin, 1947: 147).

In no other part of this article is the destruction of culture or other non-lethal acts of genocide mentioned in detail. It appears that in the aftermath of the war, the term genocide became reconfigured and reified into a term pertaining to physical annihilation, which made the genocide of a group synonymous with “homicide as a denial to an individual of his right to live” (1947: 149). Yet, Lemkin’s statement also needs to be read in light of the failure and exclusion of ‘cultural genocide’ from Article III of the UNGC, which had sought the separate outlawing of non-lethal forms of cultural genocide. To preserve the international consensus even for Article II meant that member states faced considerable opposition pertaining to genocide as a way of getting involved in the domestic affairs of nations. This arose from the concern by member states that “political groups in the Convention would expose nations to external interference in their internal affairs” (Leo Kuper quoted in Markusen and Kopf, 1995: 41). Yet, it was not only the issue of political groups that raised the presumption of unjustified involvement in domestic affairs, but also the question of

having a clear and enforceable definition of genocide that is not open to overzealous partisan-political manipulation. It was thus reasoned that the establishment of cultural genocide in Article III would open the way for greater international involvement into the domestic affairs of nations. In the end, it was the Sixth Committee of the General Assembly in October 1948, which decided to delete cultural genocide from “Article III...and just make it one on physical and biological genocide” (Morsink, 1999: 1022). One can conclude that the ambiguity surrounding Lemkin’s ideas on genocide are likely based upon the effort to build an international consensus for a new crime which is not too invasive of the affairs of state as it pertains to their ‘order-keeping’ activities.

Helen Fein’s argument regarding genocide as physical interdiction thus appears to interpret Lemkin’s text through a narrowed version adopted by the UNGC, which excluded the variance of strategies (social or political) employed to destroy the constituting features of a group. From my reading of Lemkin, it is misguided to claim that killing or biological destruction of groups *solely* constitutes genocide.<sup>10</sup> Thus, physical interdiction is not the only means by which political (or other forms of) genocide may be committed.

This reification of genocide, following the developments that enshrined its meaning in the UNGC into a concept of biological annihilation, was accomplished at the expense of excluding social, cultural and political traits of groups from the final definition. The more complex and varied definition of genocide developed by Lemkin in his early work became reduced during its UNGC implementation despite its congruence with protecting the integrity of minority peoples from *various forms* of state-directed violence. The exclusion of cultural genocide and political groups from the definition adopted in the UNGC, and the effort to exclusively associate genocide with physical or biological-annihilation, should not obfuscate the contribution of Lemkin’s original understanding of genocide. Any reinterpretation of Lemkin needs to honour this original perspective for reasons not only of historical accuracy, but also to recognise that this reification of the term has had repercussions in the way scholars define and research genocide. The fact that remembering Lemkin’s varied contribution demands a certain effort reflects the influence that the physical destruction of life has had upon the foundation of groups and suggests something about the character of our current intellectual and political climate. Despite these reifying influences that have

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<sup>10</sup> A recent exemplar of this reading of Lemkin is put forth by McDonnell and Moses (2005).

colonised this broad outlook, Lemkin's perspective maintains its value as a vantage point with which to evaluate existing UN policy regarding the protection of minority groups, and, as I shall now discuss, the various research definitions of genocide.<sup>11</sup>

### *Lemkin and the Study of Genocide*

The extent to which the atrocities of the Second World War and the success of Article II have influenced the understanding of genocide is considerable and extends well into the study of genocide. In all the theories evaluated here, genocide primarily means the physical destruction of a group. The scholarly reaction to the global concept of genocide has led to a divergence in meanings as each specific approach relates the definition of genocide to their particular form of inquiry. This has meant that some have reacted to this definitional reification of genocide in specific ways. Some scholars have thus argued for a 'wider' or more inclusive definition of genocide on moral, rather than epistemological grounds. These scholars argue that researchers should, as a moral effort, recognise the oppression of groups and their right to exist, even if they are not under threat of physical extermination. In this section I want to explore how genocide is defined by certain scholars in the field and show how this issue of 'definitionalism' has pejoratively preoccupied the study of genocide.

The study of genocide as an enterprise of social science has benefited from Lemkin's original vision. Genocide studies is an effort, unlike most scholarly endeavours, to gain knowledge in order to prevent or eliminate patterns of violence that threaten groups. Lemkin's perspective has aided the study of genocide by encouraging a greater human sensitivity towards how genocide, as a varied form of violence, affects not just the existence, but also the essential capacities that constitute groups. As I suggested, the perspective's greatest contribution in this social scientific regard derives from a humanist undertone which guards the integrity certain capacities that constitute groups. A consequence of defining the term in such a reified form means that the study of genocide has treated this form of violence as expressed concretely in terms of the slaughter of 'human material'. Neglecting Lemkin's holistic view of human sociality means that killing and body-counts becomes the primary

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<sup>11</sup> For example, being that systematic acts of cultural oppression often precede physical annihilation may the effort to criminalise and enforce a definition of cultural genocide help to stay or prevent greater biological-destructive atrocities? These kinds of questions only become possible from an understanding of Lemkin's original position.

signifier of genocide. This consequence itself has sparked debates whether the issue of ‘body-counts’ is an ethical way of signifying genocide. Almost all scholars have addressed this issue and some have even pursued different understandings of genocide to avoid the degrading and practically difficult method of qualifying an act of genocide by counting those killed (Card, 2003).

With the UNGC defining genocide solely in terms of biological interdiction in contrast to Lemkin’s initial broad array of “techniques of genocide”, a bifurcation has developed between those scholars that have interpreted genocide in an analogous manner to the United Nations version (Fein, 1993; Kuper, 1981) and those that understand the term principally in broad categorical terms (Charny, 1994). Many have referred to this divide as understanding genocide in narrow versus broad terms (Huttenbach, 1988), while others remain altogether sceptical about having a restricted definition based entirely upon legal norms (Churchill, 1986). This is not to suggest that all scholarly definitions conform to these definitional types, but, as I will document throughout this Chapter, there exists an array of definitions that form around these two poles relating to Lemkin’s work and the UNGC.

*Charny, Horowitz and the Recognition of Mass Atrocity*

Israel Charny is a scholar who has crafted a definition of genocide that directly addresses the moral importance of victim recognition. The overriding concern that shapes his definition is that “there should be no situation in which thousands and even millions of defenceless victims of mass murder do not “qualify” as victims of genocide” (Charny, 1994: 64). Charny’s “generic definition of genocide” intends to qualify and conform with “the realities of life” of those who are subjected to mass murder and the ways that “reasonable people” who use the term characterize such events (1994: 75). Charny argues that we should adhere to “commonsense” meanings of the loss of human life and he fears that definitions might “exclude in arbitrary, cynical, or intellectual elitist ways, the death of *any* group of...human beings” (1994: 75). His definition states:

Genocide in the generic sense is the mass killing of substantial numbers of human beings, when not in the course of military action against the military forces of an avowed enemy, under conditions of the essential defenselessness and helplessness of the victims (1994: 75).

As with most contemporary definitions of genocide, the biological destruction of peoples is the prominent feature here, but like Lemkin, Charny suggests that “we also need to create a series of definitional categories of genocide” all of which are congruent with this generic definition (1994: 75). This entails describing the violent measures inflicted upon groups in broad categorical terms, which reflects their actual impact upon groups. Genocide, under this view, may be a result of ecological destruction or abuse, colonial genocide, or aggressive (unjust) war. Charny also advocates the category of cultural genocide that can arise from efforts to destroy a group’s culture or language (‘Linguicide’) without destroying human lives.

One strategy in developing this generic definition is designed to address the political uses of the term genocide. By using the term to encompass other acts of violence targeting the existence of groups, Charny seeks to restrict any monopoly of the term genocide by political sources that often neglect cases for strategic reasons. Charny argues that

the passion to exclude this or that mass killing from the universe of genocide, as well as the intense competition to establish the exclusive “superiority” or unique form of any one genocide, ends up creating a fetishistic atmosphere in which the masses of bodies that are not to be qualified for the definition of genocide are dumped into a conceptual black hole, where they are forgotten (1994: 91-2).

This position actively acknowledges the power of describing various acts of mass atrocity as genocide and seeks to use the term for the purpose of protecting groups through scholarly research. Despite the laudable humanitarian intentions underlying this effort, there are shortcomings associated ascribing a wide variety of mass killings under the rubric of genocide.

Charny does not acknowledge that a liberal application of the term genocide actually may encourage its political (mis)usage, thereby diminishing its efficacy in rallying attention and support to confront serious cases of genocide. The most common challenge to Charny’s perspective is that applying the label of genocide in broad terms, as it pertains to most acts of mass killing, actually robs the term of its urgent potency. By associating the term genocide with more varied forms of state and non-state violence, corporate negligence and natural disasters, genocide becomes, as Fein has suggested, “a debased term” that fails to inspire concrete preventative action for the most serious cases of violence (Fein, 1994: 95). Within this gamut of wider usage the term may also be perverted by groups involved in political struggles seeking strategic

liberation from other dominant political forces. To gain international recognition to advance and gain support for their political struggles, groups strive to petition for ‘genocide status’ where the term becomes the proverbial ‘crying wolf’ for overstated cases, thereby undermining future efforts at intervention. Due in part to these practical concerns, there are those who, for the purposes of scientific study, oppose this varied perspective on methodological grounds and base the definition on the ‘biological-annihilation’ premise founded in Article II of the UNGC.

Irving Horowitz, for example, thinks that quasi-genocidal terms like “selective genocide” or “cultural genocide” are an “emotive effort to lay claim to the special character of mass murder, perhaps to heighten the sense of the horrors these neglected people have experienced” (Horowitz, 2002: 41). Unlike all forms of organized violence, genocide, Horowitz argues, should be judged principally as an irreversible physical impact upon groups. In a blunt passage he claims,

Actual genocides involve real deaths. These deaths are not reversible by posthumous rehabilitation, party edict, or collective assumptions of guilt. They are finite, *final* events...It is the irreversibility of state murder that gives the subject of genocide its unique and awesome dimension (2002: 43).

Horowitz attempts to redirect inquiry into genocide as a physically destructive act of an entire people. This approach conceptually binds genocide to the total physical death of groups in a much more stringent way than contained in Article II. This means that the requirement of what Horowitz calls “counting bodies” becomes a necessary endeavour of social research into genocide (2002: 46). By focusing on actual deaths, Horowitz argues that researchers will avoid the lofty “metaphorical extractions” and “empty platitudes” that are implied by other diversified approaches while avoiding “exaggerated claims of emotion” that obstruct adequate knowledge claims (2002: 46). Horowitz’s insistence on the reified version of genocide entails that his approach focuses not upon the conditions of genocide as a policy, but rather upon the institutions of violence directly associated with systematic killings. Genocide is thus defined as a “*structural and systematic destruction of innocent people by a state bureaucratic apparatus...*” (2002: 23). For Horowitz, the apparatus of the state, although not the only institution used for genocidal purposes, is transformed into a weapon of elite groups that dominates society and uses its position to eliminate a less powerful group.

The most serious complication for this approach derives from Horowitz’s reliance upon total annihilation as a condition for genocide. Remarking on the

atrocities in Rwanda, Horowitz has questioned whether the term genocide should apply. He writes:

Hutu hit squads, estimated at between 40,000 and 50,000 men, are estimated to have massacred anywhere from five to ten times that number of Tutsi peoples. But calling this mutual assault on Hutu and Tutsi peoples a genocide is as problematic as using the term “genocide” for the massacre of the Kurdish people. Despite the brutality and the savagery involved, both the Hutu and Tutsi peoples survive, and the dominant regime categorically denies any systematic effort at total destruction of a whole people (Horowitz, 2002: 41).

The reliance upon a definition of genocide, which is based purely upon a vision of total extermination, leads Horowitz to absurd characterisations. Questioning whether the killing of “75 percent of the Tutsi population” of Rwanda constitutes a case of genocide is just the kind of lofty academic exclusiveness that Charny’s approach warned against (Des Forges, 1999: 16). Yet, these characterisations between what counts as genocide are, for Horowitz, necessary “surgical distinctions” that “social research must confront” (Horowitz, 2002: 41).

The irony of Horowitz’s definition is that excluding cases such as Rwanda on spurious definitional grounds actually hinders investigations into genuine cases of genocide (for example, Rwanda). By crudely calculating the survivability of the victim groups as a qualification for the term genocide, Horowitz is able to exclude cases by counting the number of survivors. Aside from the moral questions of defining human groups in reified or material terms, Horowitz does not acknowledge that the task of counting bodies is not a precise science as it may seem. As Des Forges has pointed out concerning Rwanda, the task of assessing those killed is “important to counter denials, exaggerations and lies”, yet these counts are “usually informed more by emotion than by fact” (Des Forges, 1999: 15). The challenge of counting bodies in such cases as Rwanda is a huge task that has yet to be adequately completed. This scale of atrocity and the precise numbers of those killed needs to be addressed, yet the lack of the exact numbers killed should not deter scholarly research.

Horowitz’s definition therefore represents a shift away from the efforts of recognition through focusing on calculating the results of systematic killing in the desire for a more precise form of social inquiry. Yet, the issue of counting bodies raises more questions pertaining to the *actus reus* or material element of genocide. Unfortunately there is no discipline-wide consensus on what materially constitutes genocide, yet some like Alvarez have argued that a reliance on the UN criterion of

genocide is sufficient to overcome this definitional concern of a “numerical threshold”, like the one implied by Horowitz’s definition (Alvarez, 2001: 54). What alleviates a minimum ‘body count’ qualification for genocide is the “in part” phrase contained in Article II of the UNGC. More recent case law from the two genocide tribunals have shown that the legal understanding of genocide does not depend upon any minimal body-count qualification in order to charge defendants with the crime of genocide (Schabas, 2001).

Both Charny and Horowitz represent two opposing sides of a definitional debate, one in favour of providing recognition to victims of mass atrocity while the other attempting to preserve the integrity of social inquiry from perilous divergences based on moral grounds. As it stands today this debate is currently unresolved. Yet, from the point of view of Lemkin and the history of the UNGC, it is clear that both authors repeat and expand, in a scholarly forum, the international debates that involved the establishment of the genocide convention. Some scholars, however, have sought to circumvent this debate altogether and redress some of the limitations of the UNGC by focusing on the perpetrator’s motivation as a way of defining genocide.

#### *Defining Genocide & the Perpetrator’s Perspective*

One of the most well-known definitions of genocide, which is less restrictive and posits a relative and dynamic notion of group at its core was developed by Chalk and Jonassohn. In their version of genocide, they “attempt to identify the social conditions and situations in which genocide is likely to occur” (Chalk and Jonassohn, 1990: 4). Their definition therefore acknowledges the variance of defining those groups that are encompassed in forms of one-sided mass killing. They argue that “it is futile to search for rational and objective boundaries to define” victim groups as they “were mythical to begin with”, since they were often broadly and functionally conceived neologisms of the phrase ‘enemies of the people’ (1990: 10). The result of this analysis was to develop a notion of group based on the perpetrator’s definition of their intended victims.

*Genocide* is a form of one-sided mass killing in which a state or other authority intends to destroy a group, as that group and membership in it are defined by the perpetrator (1990: 23).

Similar to Horowitz they acknowledge that genocide requires state or other organizational capabilities of force, yet what differentiates their account is that the outcome of genocide can be a result of characteristics associated with motive. Just as with Charny's effort to bring recognition to victims, Chalk and Johassohn's perpetrator classification of victim is seen as a conceptual strategy to include occurrences of mass killings that would not qualify under as genocide under the UNGC's definition, such as of the mentally ill and homosexuals in Nazi Germany. They write: "Because our definition leaves open the nature of the victim group, it allows the inclusion of groups that were excluded from the UN Convention" (1990: 25). Despite the laudable intention of historically acknowledging these victims within the gamut of genocide, formulating an indeterminate notion of a group entertains certain logical problems for their definition.

Firstly, if genocide is to exist in any social scientific capacity, then the destruction of a 'group' cannot be exclusively defined by one who perpetrates this form of destruction, since groups are not mere constructions of authority, but are forged through actual relationships and interactions of people.<sup>12</sup> Even though, as I shall discuss later, the constructions of 'enemy groups' have served a vital strategic function for elites to eliminate opposing social or political forces within their domains, these classifications are malleable, and, conversely, can encompass real groups that are also destroyed under genocidal policies. With this being the case, a definition of genocide that rests on how the perpetrating authority defines the enemy 'group', entertains a paradox that jeopardizes the concept of genocide based on its link to the term 'group'. This paradox becomes evident if one recalls that social science (and science in general) reserves the right to freely determine and classify the objects which it observes. Privileging the perpetrators' classification of their victims as being determinate of the parameters of genocide contradicts the basic power of social inquiry that intends to bring recognition to actual victim groups. If genocide is to be understood as the destruction of an actual group, then a definition of group cannot be solely and openly defined by perpetrators. If genocide is to be understood as a sociological problem to be solved, then it is imperative that definitions of group, the essential foundation of the

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<sup>12</sup> One may, on the other hand, rebut that the first part of their definition ("authority intends to destroy a group") is distinct from the subsequent part ("as that group...is defined by the perpetrator") and thus allows for other interpretations of victimised 'groups'. If this is the case, which I think is unlikely, then this would be a fallacy of ambiguity (equivocation) since the same word 'group' that premises genocide is used with two (or more) divergent meanings.

term genocide, be logically formulated and, hopefully, agonistically contested vis-à-vis the reality of circumstance. It is thus paradoxically uncritical for social inquiry to take the perpetrators' view of the 'enemy other' as given as well as being informative of the term genocide without contesting the dynamics involved in this vital process of victim selection.

By embracing the categorising procedure that the architects of genocide employ to define their victims as 'groups', Chalk and Jonassohn repeat and re-incorporate this process within their definition of genocide, thereby implicitly confirming the fact that such 'groups' actually exist, when, in fact, these categories of the 'enemy other' are *the* categories that demand scrutiny by social scientists. As they suggest, "since many of the political victim groups (for example, "enemies of the people") were mythical to begin with, it is futile to search for rational and objective methods to define them" (1990: 10). In their view, scholars should strictly accept the desire to recognize victimized groups however they are defined by their perpetrators. This definition thus appeals to a necessary stage in the conduct of genocide: "in order to perform a genocide the perpetrator has always had to first organize a campaign that redefines the victim group as worthless" (1990: 28). In other words, such a definition embraces the idea developed by the architects of genocide that a group (or their 'enemy') is an illusive and flexible category that camouflages the true identity of their enemy. As a result, such a view merely repeats, in its definition, an implicit notion of group identity employed by the perpetrators which actually catalyses the operation of genocidal policy. In other words, their definition treats the processes of enemy construction uncritically by harbouring the perpetrators' perspective in their definition.

The factor that has led this definition and approach astray is its dependence upon a mistreatment of the Thomas Theorem to account for the neglected categories of people that are systematically targeted by a policy of genocide. The Thomas theorem suggests that "If men define situations as real, they are real in their consequences" (Merton, 1957: 421). In other words, there is a tendency for people to create a self-fulfilling prophecy in certain situations. Instead of reading this theorem as a concern about the influence of social expectations on individual action which enacts the self-fulfilling prophecy, as it has been done by Merton, the theorem is understood as a statement confirming the proposition that "a group may be any collectivity of people that is so defined by the perpetrator of a genocide" (Chalk and Jonassohn, 1990: 25). In

other words, what or who the perpetrators define as real *is* real by their actions to destroy the other. What this theory proclaims is that groups are made real by the perpetrator's actions to categorise, dehumanise and destroy the other.

What is lacking in this equation is a sense of realism as it applies to what we mean by a 'group'. Unfortunately, the construction of 'the enemy' by the perpetrators of genocide does not actually create the existence of groups. Instead, as I shall discuss in detail later, what is created by this definitional process of the perpetrators is an image of the other which serves as a *point de capiton* designed to gather allies and support for a violent course of action. The theoretical shortcoming of Chalk and Jonassohn's definition is that any level of critical speculation about this practice is overlooked in favour of recognising the categories of people targeted by *génocidaires*. This definition thus repeats the discourse of the perpetrators as an explanation for genocide by implying that the value of their definition makes sense in characterising the genocidal situation.

Sociologists Holmwood and Stewart have aptly characterized this form of theorising as a "horizontal fallacy", because observations are privileged "by arguing that it makes sense to those whose behaviour is being considered", rather than to an academically derived standard (Holmwood and Stewart, 1995: 43). In such accounts, what seems unintelligible can be made intelligible by invoking "a diversity of equal truths each established by will and commitment" (1995: 43). The diversity of truths presented by Chalk and Jonassohn effectively restates, but does not solve, the basis of social inquiry; that is, their approach restates the problem of investigating these classifying/mystifying practices and simply reincorporates these practices as their definition of genocide. The problem with this fallacy is that because this 'enemy creating' process makes sense to those involved in the situation, "it does not require social scientists to seek the reconstruction of their explanations and therefore consigns them to the lack of resources intrinsic to current difficulties" (Holmwood and Stewart, 1995: 44). More often 'the lack of resources' is translated within the discipline as a shortfall of adequate empirical evidence to validate more detailed theoretical explanations (Huttenbach, 2004). The key shortcoming of this kind of definition of genocide denies the creative solution to problems of explanation by restating that which is in need of critical explanation.

*General Theory and the Symmetry of Definitions and Theories*

The effort to achieve a definition of genocide that avoids the potential of overexposure by ascribing it to various forms of atrocity and an over-reliance upon physical extermination has meant that there is no universal acceptance of a precise definition of genocide. Although most scholarly work understands genocide in its reified form, few have settled on a single consensual definition of genocide. As I shall discuss, most genocide scholars have crafted their own definitions as a way of establishing the theoretical parameters of explanatory inquiry. Chalk and Jonassohn's definition of genocide, like others I will consider in this section, creates the parameters of their definitions of genocide in large part through how their theories investigate genocide. Their perpetrator centred definition establishes an investigation to "meaningfully compare" occurrences of genocide by constructing general typologies relating to the motives of the perpetrators (1990: 29). What I want to show in this section is that there is a symmetry between the specific investigations of genocide and the way scholars have come to define the term.

There is a tendency amongst the established scholars of genocide to construct typological schemes of categorising genocide for the purposes of comparison in an effort to render a more adequate explanation of its nature. These respective typological schemes are a practice that sets forth a clear understanding of the scholar's explanatory paradigm. Chalk and Jonassohn, for example, described four types of genocide classed according to the dominant aspects of the perpetrator's motive.

1. to eliminate a real or potential threat;
2. to spread terror among real or potential enemies;
3. to acquire economic wealth; or
4. to implement a belief, a theory, or an ideology (1990: 29).

Chalk and Jonassohn's typology seeks to indicate the "dominant" motivation contained in genocidal incidents (Chalk and Jonassohn 2000: 11). Yet, the challenge for this scheme is that what is 'dominant' is never quite apparent until one contends with the practical details of events. In other words, classifications of motives are largely empirically dependant upon adequate historical information that describes the stability of the perpetrators' intentions. As I shall discuss later concerning the case of Rwanda, the issue of genocidal intent largely depends upon what strata of the killing structure one investigates. In fact, the divergence of motivations in society that inspire genocide

actually function to increase civic cooperation. The second concern is thus that these motives may actually exist interdependently in a single case of genocide. Even though Horowitz has correctly noted that “in real-world terms, [Chalk and Jonassohn’s] four properties tend to coalesce”, he is not troubled that this approach fails to offer a sufficient explanation of the motivational structure of genocide (2002: 15).

Moreover, there are other cases of genocide that have been organised with complementary motives. The genocides being conducted by governments, often on behalf of corporations or other governments, against rural-indigenous peoples, which has been described as ‘utilitarian genocide’ or genocide for wealth (Chalk and Jonassohn’s type three), often harbour other motivational incentives. The effort in the 1980s to “de-Indianize” the rain forest areas of Colombia and Brazil was widely seen to be conducted in order to facilitate the mining of large quantities natural resources (Alvarez, 2001: 101). Thus, when conflicts between miners and indigenous groups ensued, these governments expedited the persecution and killing of these indigenous groups despite public reassurances to improve their overall welfare. In this case, it appears that the genocide committed against indigenous populations was in support of the mining corporations and government revenues from production. However, there are other interwoven motives for this kind of genocidal policy.

The first concern when positing profit motives is that there must be a detailed consideration of the clear profits to be gained as measured against any costs. One must therefore consider the costs of organizing the deaths of thousands of people by methods (as are known) of bombing, dispersal of poisons, and other military pogroms. These methods all entail considerable costs of their own, in the area of logistical planning and public relations, execution, maintenance of equipment and personnel. Thus, it might actually prove to be more economically advantageous to ‘economically incorporate’ indigenous peoples, rather than destroying them. To posit these kinds of economic motives one must thoroughly calculate the variables of profit or loss. Yet, these calculations do not feature as recommendations of any scheme featuring this motivational category, nor are they cited in the cases used to support this type of genocide. A second concern is that it is difficult to isolate (or control for) the major motives as such cases are further accompanied by racist discourses that are employed by governments and corporations pledging to “help to raise the Indians out of savagery by bringing them the benefits of modern technological life” (Chalk and Jonassohn,

1990: 102). This raises the spectre of the modern role of racism or other ideologically influential doctrines in the perpetration of genocide. This case, and others resembling it<sup>13</sup>, may seemingly be attributable to economic incentives, but actually serves a number of motives pertaining to the perpetrators ideology. Another problem of relying upon motives to characterise genocide is that the professed motives of the perpetrators maybe part of a plan to deceive bystanders and encourage them to cooperate with and hence expedite atrocities.

The central issue here is whether these general categories of motive aid us in a critical understanding of these events and help highlight other influential processes. Unfortunately, the problem of the horizontal fallacy is not overcome by the construction of their typology of motivation. Even though their categories do provide a framework to explore and classify genocides according to motives, the issue of a creative or critical explanation of the perpetrator motive is still wanting. This is due to the lack of rigorous detail paid to specific cases of genocide, and the need to rule out motives by critical investigation.

Another example of this symmetry between definition and inquiry concerns the work of Robert Melson in his revered book *Revolution and Genocide*. Unlike Chalk and Jonassohn, Melson critically explores two cases of genocide in great historical detail. The crux of his argument in uncovering the origins of the Holocaust and Armenian genocide is that “in the modern world total genocides have mainly been launched by revolutionary states seeking to transform society in their image” (Melson, 1992: xvi). The purpose of this investigation is “to shed light on the empirical conditions, [and] the underlying pattern of empirical similarity, that led to genocide in the past and may lead to it in the future” (Melson, 1992: 2). To explain how it was possible for such revolutionary movements to secure the institutions of states (in Germany and Ottoman Turkey) and further revolutionize society *de novo*, Melson seeks to identify the overlapping conditions specifically related to the development of genocide. For Melson the occurrence of revolutions and other crisis situations, such as war, enable the formation of “fundamental transformations both of the political and the social structure” (Melson, 1992: 30). These changes are manifest in the form of social

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<sup>13</sup> One of the most recent actions of this kind is being conducted against the rural tribes of Botswana in the service of diamond mining in association with the de Beers diamond company. Cf. *Mother Jones*, January-February, 2005.

revolutions<sup>14</sup> that establishes the “structural and historical setting—a necessary but not sufficient condition—making it possible for ideologically motivated vanguards actually to implement their ideas, including those favouring genocide” (1992: 21-2). Although there are passages in the work that suggest that revolution itself has a direct influence on the outcome of genocide,<sup>15</sup> which is incongruent with the preceding passage, I understand his thesis to be exploring structural influence of revolutionary ideals. As a result of this endeavour Melson defines genocide in terms of the physical extermination of a wide variety of groups and human categories. The focus of his investigation concerns “total domestic genocide”—those cases of genocide that annihilate groups within the borders of the state (1992: 278).

There is little question that the Nazi and Young Turkish revolutionary parties undermined the social and political conditions of the old orders in the face of serious crises in social and political legitimacy, and that these parties organized and executed a policy of genocide in the service of a new society. The challenge for this approach, however, is the determination of the precise relationship of revolutionary action and the policy of genocide. Melson’s account does clearly acknowledge the influence of the international war and crises in domestic circumstances—for the Young Turks it was the losses in the First World War and the domestic secession of minorities seeking independent national representation (1992: 159). However, the idea of revolution is a broad concept that can be seen to incorporate all other actions and influential conditions as they are directed in creating a new society. The question concerns what is the necessary role of revolutionary action for the outcome of genocide. Melson argues the factors of international war,<sup>16</sup> domestic crises, and policies of other international governments pressured these governments to revolutionize their society in order to resolve fundamental ‘problems’. He argues:

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<sup>14</sup> Melson defines a social revolution as “*a fundamental transformation, usually carried out by violence, in society’s political, economic, and social structures and cultural values and beliefs, including its reigning ideology, political myth, and identity*” (1992: 32)

<sup>15</sup> He writes that this study “relates total domestic genocide specifically to revolution and not to other structural crises of the state or of modern society” (1992: 16), and (inversely phrased) “the present study of genocide is viewed as a kind of policy that may be an out come of revolution” (1992: 31).

<sup>16</sup> Melson argues that “the Great Powers took the opportunity of momentary Ottoman weakness and distraction to grab more territory and to ask for more concessions. The consequences for the Turkish revolution and its outcomes were disastrous...by 1912, as the Young Turks became more nationalistic, xenophobic and intolerant, the very aptitude of the Armenians for modernization only worked to emphasize their apparent threat to the new regime.” (1992: 160-1).

The genocide of the Armenians should be understood not as a response to “Armenian provocations” but as a stage in the Turkish revolution, which as a reaction to the continuing disintegration of the empire settled on a narrow nationalism and excluded Armenians from the moral universe of the state (1992: 169-70).

What the revolutions accomplished was the possibility of extreme factions to use the impetus of revolutionary change to commit genocide. Melson’s insights therefore rest exclusively on a *theory of opportunity* that opens the possibility for the execution of genocide. His argument thus suggests that the probabilities of repression and genocide “increase substantially” when (1) “revolution leads to war,” (2) when there exists “excluded communities included poorly integrated “problem” groups under the old regime,” and (3) “other options... are seen as impossible or too costly to implement” (1992: 205). Revolutions, therefore, enable a gradual and systematic implementation of ideological doctrines when these specific conditions are in place. One is left to conclude that revolutions open the way for ideologies whose content is composed of a radicalised devotion to one’s own group.

Melson’s theory of opportunity accounts in historical detail the conditions that influence the social and political climate which animates collective action and government policy towards genocide. Concerning the Nazism and the war conditions he writes:

the war was given a new meaning, that of an apocalyptic race war, and all things become possible...The war against Russia transformed the Jewish Question from a problem of deportation of racially undesirable aliens into a titanic struggle between the forces of Good and Evil. The time had come for the “Final Solution” (Melson, 1990: 240, 244).

These war conditions, which animated radical struggle on the battlefield, also influenced radical solutions to domestic ‘problems’. Yet, it is unfortunate that Melson’s account does not explore in practical detail the influence of these conditions upon the soldier, or the *génocidaire*. To better account for the potency of these conditions it is best to reveal how these circumstances influenced the daily circumstances of the *génocidaires*. One way to accomplish this could be to explore the particular functional needs of the institution. Only by inquiring into these practical dynamics of the *génocidaires* can an investigation be on solid ground in judging the effects of war or revolutionary contexts on the outcome of genocide.

One of the best accounts of this kind explores the reasoning of German soldiers as documented in their letters sent home from the Eastern front. In Omer Bartov’s,

*Hitler's Army*, he argued that Germany's war against Russia was animated by a commitment to Hitler as Führer and a deceptive vision of the enemy (Jewish-Bolshevism), both fundamental tenets of Nazi ideology. This mind-set effectively served to support the morale of troops facing the heavy losses experienced by the core of the German army and arduous conditions of battle in the East that did not correspond "to their previous image of war" (Bartov, 1990: 28). Soldiers on the Eastern front "accepted the Nazi vision of war as the only one applicable to their situation" and which gave "license to vent their anger and frustration on the enemy's soldiers and civilians" and perpetrate or tolerate other atrocities including genocide (1990: 28). Thus, it can be viewed that the "Final Solution", as perpetrated by various methods throughout the empire, was representative of Germany's entire struggle, and was further animated by the expected threat of brutal retaliation for such atrocities. As other military advantages were absent, the brutalization of non-Aryans *served to solidify and motivate* the entire war effort from the camp guard to the soldier in the trench. Bartov's investigation shows that theoretical propositions can be founded upon substantive empirical evidence which makes the behaviour of the *génocidaires* more coherent in terms of the conditions they experienced. Just as there are exemplary approaches that successfully qualify general explanations, there is one typology which has broken with the principle of symmetry.

One scholar who has successfully developed a typological definition to circumvent problems incurred by the symmetry of definition and inquiry is Ward Churchill. He has argued that typologies can form "an adequate conceptual basis for an effective global consensus *juris vis-à-vis* genocide" without "becoming mired in considerations of government intentions" and other issues of inquiry (Churchill, 1986: 416). Churchill suggested that we can avoid these problems by establishing a codification of genocide akin to degrees of homicide.

*Genocide in the First Degree* would encompass instances where clear intent to commit genocide was evident...

*Genocide in the Second Degree* would encompass instances where intent to commit genocide *per se* is unclear, but where genocide occurred while it perpetrator was engaged in otherwise criminal activities...

*Genocide in the Third Degree* would encompass instances where genocidally specific intent is lacking, and where the perpetrator is not otherwise engaging in activities judged to be illegal, but...allows genocide to occur as an "inevitable by-product" of its national activities...

*Genocide in the Fourth Degree*, which should be viewed as corresponding to manslaughter rather than murder, would accommodate instances where intent, other forms of criminality and reckless insensitivity are all unclear or lacking, but where genocide nonetheless occurs... (Churchill, 1986: 416-7).

Churchill's "gradient of criminality" represents an effort to construct a typology of genocide without harbouring explanatory statements that exclude certain cases based upon case-specific or theoretically contrived characteristics (1986: 417). This kind of model, contrary to many other typological ones, helps to classify and judge the seriousness of cases without making implicit explanatory statements about genocide's 'essential' character.

Some of the problems raised by the symmetry of definitions and inquiry, and the problems of general explanation, really pertain to questions of methodology. In the following section I want to examine how my approach plans to overcome the shortfalls of these approaches examined above.

### *Genocide and Method*

In a recent article by the editor of the *Journal of Genocide Research*, Henry Huttenbach touches on the tendency in genocide studies to "hurry towards generalisations" (Huttenbach, 2004: 149). Reacting to a sense of "urgency" pertaining to atrocities, scholars have tended to put forth generalisations in the hope of explaining and preventing these crimes. Yet, Huttenbach suggests that scholars should "curb the temptation to rush into premature conclusions...because not enough cases of genocide have been sufficiently studied" (2004: 149). His concern is that there is not enough empirical exploration of various cases of genocide to substantiate general theorising. In agreeing with this judgement, I have argued above that typologies of genocide and those approaches that shy away from the effort at greater empirical specification are unproductive attempts to explain genocide. For some like Chalk and Jonassohn the motivation for creating their typology was intended to raise awareness of the scale of the problem scholars face. Yet, the paradox of this effort is that even though they succeed in raising awareness of various cases throughout history, the methodological employment of general typologies hinders the development of new and creative understandings about genocide.

My contention with these approaches thus presumes that by reflecting more critically and substantively about the discourses and actions of the perpetrators,

scholars can better qualify their theoretical propositions about the character of genocide. Thus, the following examinations in this thesis side with Huttenbach's caveat that "good theory is nurtured by a series of well-tested generalities and factual common denominators extracted from empirical regularities" (2004: 150). In this section I want to clarify the method I shall use to investigate specific cases of genocide and account for these empirical regularities.

The methods of social science used to study genocide approximate to two models. First, *positivist* social science, whose goal it is to make predictions about events by isolating their causes, can be construed according to subset two models: 1) the deductive-nomological form of explanation that consists in relating statements describing a phenomena to a series of other conditions and to one or more general laws such that the explanatory statement is deducible from its conditions and laws. Exemplars of this approach are the typological models which explain genocide as deduced from general conditions such as war or economic crisis, such as Melson's theory of war and revolution. 2) The "inductive-probabilistic" model, on the other hand, employs statistical probability instead of the general laws of the deductive model. In enabling inductive support for its conclusions, the validity of its hypothesis is dependant upon the relation of statistical probability between measurable variables (Fay, 1975: 34-6). Two theories of genocide that I evaluate in Chapter three, one developed by R J Rummel (1995) and the other by Harff and Gurr (1998), approximate to this inductive-probabilistic model, since both theories make claims about the predictiveness of specific variables based on statistical measurement of genocide under measurable conditions. In other words, specific variables are measured against the outcome of genocide and statistically correlated (either positively or negatively).

A second form of social science that explore genocide approximate to another model that has been classed as "interpretive" (Fay, 1975: 36). This model does away with causal or probabilistic statements such as 'necessary and sufficient conditions', and instead favours vocabularies "comprised of *action concepts*, and attempts to give an account of social science by examining the logical implications of this class of concepts" (Fay, 1975: 71). Such concepts require an *interpretation* on the part of the observer as they are referenced upon intentional action (plans or desires) or conventional actions (moral, legal or social rules). Such accounts rest principally upon the intentions which entail implicit references to social or political practices. The

scientist is then faced with the task of uncovering “the set of rules which underlies a given class of actions” (1975: 76). These rules themselves presuppose sets of what Fay calls “*constitutive meanings*” that constitutes the logical possibility of certain practices in society. The social scientist must then convince his audience, with direct reference to their subjects’ meanings, of the “structure of intelligibility” that accounts for actions in their own terms (1975: 76). However, a shortcoming of this interpretive model is that intentionality must constitute a theory of coherence within the logical meanings of the perpetrators of genocide. This entails that contradictions within the ideological logic of genocide must be ignored and left unaccounted for within this kind of explanation.

My proposed method is a variant on the interpretive model. Like the interpretive approach, I explore the *génocidaire’s* ‘structure of intelligibility’ and the rules that directly influence perpetrator and victim action. The divergence from this model arises from my examination of two paradoxes common to cases of modern genocide which, I claim, exposes these structures of intelligibility that direct genocidal policy. In other words, I attempt to avoid the shortcoming of the interpretive model by confronting the paradoxes of genocide and revealing the intelligible and logical structure underlying this pattern of violent action. After contending with these paradoxes I suggest in chapter Five that these structures of intelligibility that make genocide possible can be adequately understood by analytically distinguishing between the ‘grammar’ (how it is principally constructed) and ‘speech’ (how it is employed) of these constitutive meanings. Before reaching an examination of these paradoxes, however, it is necessary to explore in the next chapter the conceptual distinctiveness of genocide as a concept of study to establish the parameters of my forthcoming investigations.

### *Conclusion*

In this chapter I have argued that the crime of genocide, developed by Raphael Lemkin found an audience in the United Nations and world community as it helped address not only the spectre of Nazi atrocities, but also the failures of the League of Nations and confront the particular and (still present) problem of protecting stateless persons and minority groups. Although the term has come to be understood by the United Nations and much of the scholarly community in a reified sense based upon the physiological

and reproductive characteristics of groups, Lemkin's influence, in his outspoken desire to safeguard peoples against annihilation, is only somewhat preserved. The neglect by the UN and some scholars like Horowitz to consider other non-lethal techniques of violence as genocide, betrays a large part of Lemkin's vision as he understood that groups require certain capacities of action (economic, cultural, religious) to constitute themselves as a group. Despite this divergence the reification of Lemkin's vision into the materialism of killing has made for a "broad consensus as to the definition of genocide" founded upon how governments organise the deaths of large numbers of people (Horowitz, 2002: 14). This has entailed that Lemkin's vision of genocide as techniques of annihilation has been largely overshadowed by the attention focused upon the disturbing scale of organised mass killings.

My discussion of the symmetry between definitions of genocide and their respective general theories of inquiry has sought to show that there are unproductive features present within the current theories explaining genocide. Some definitions of genocide formulate the details of its meaning to correspond with their theoretical propositions of inquiry. With the example of Chalk and Jonassohn, I have shown that their approach entertains a horizontal fallacy which uncritically restates the perpetrator's method in their definition and explanation of genocide. Likewise, Melson's theory also defines a form of genocide (total domestic genocide) particular to his theory of genocide which claims that revolution and war are necessary conditions that lead to genocide. Melson's theory, like Chalk and Jonassohn's typology of motives, shares problems pertaining to its method of inquiry which fails to adequately support its general claims. This tendency of definitional symmetry is so pervasive that it has led some like Churchill to devise a new criminological definition of genocide. These problems of inquiry raise the question of methodology as it pertains to the study of genocide. I proposed to avoid these methodological problems by following the interpretive model which accounts for the constitutive meanings appropriate to the perpetrators and victims of genocide. In the following chapter I will examine the concept of genocide in opposition to other concepts that often convolute the essence of what this form of violence means. It is to this investigation I now turn.

## Chapter Two

### Situating Genocide Conceptually

*It is a poor service to the many victims of the Holocaust to adopt a central doctrine of their murderers.*

Noam Chomsky

#### *Introduction*

In this chapter I will explore the conceptual dimensions of genocide in a new attempt to situate genocide on distinct foundations separate from the practice of warfare. I will show that the efforts to situate genocide in a paradigm of warfare neglect unique aspects of genocide that demarcates this form of violence. As noted in the first chapter, Rafael Lemkin, in his work *Axis Rule in Occupied Europe* sought to describe the ‘Germanisation’ of Europe in a new conceptual light by employing the term ‘genocide’. This effort also entailed another necessary feature of conceptual construction, a step by which a set of delineations serve to substantively distinguish genocide from other concepts. Lemkin understood that articulating a new term demanded understanding the antitheses of genocide. “Genocide”, he stated, “is the antithesis of the Rousseau-Portalis Doctrine, which...holds that war is directed against sovereigns and armies, not against subjects and civilians” (Lemkin, 2002: 28). Modern wars, in this view, are thus fought between rival forces of a state—their respective means of violence—and not against groups who lack such forces. Under this view, genocide is a method of violence exacted against groups for the purposes of annihilation rather than domination. Lemkin predicated this distinction upon the Nazi’s rejection of the Rousseau-Portalis Doctrine in their ‘total war’ in Eastern Europe, which was deemed from the start a “war of annihilation” to secure and reshape Europe into a new racial dominion (Wolin, 2004: 259). The National Socialist doctrine viewed itself as a racial nation of Germanic *volk*, rather than a state composed of diverse subjects. As Hans Mommsen has written, Nazi foreign policy was “domestic policy projected outwards”, which was intended to “conceal the increasing loss of reality” concerning the state’s actual condition; this was maintained “only by...political dynamism through incessant action” (Mommsen quoted in Wolin, 2004: 492). This

‘domestic project’ of incessant expansion of German domination in Europe came at the expense of many local populations and diverged from the traditional course of warfare. The scholars that I examine below have sought to add or relate the concept of genocide, in their own theoretical way, to war. I will argue that whilst wars have the inherent potential to become genocidal by virtue of the conditions of war (that is, genocide and war are similar in *form*), they differ significantly in *substance*.

## I. War and Genocide

I would like to begin by putting forth a categorization of two divergent propositions pertaining to war and genocide, both of which resonate in current arguments. The first point argues that war and genocide are distinct forms of violence (as suicide is to murder) and that there no common conditions shared by these forms of violence. The second position argues that war and genocide share common conditions and are inextricably linked and categorically bound as violent processes—that is, war and genocide are, in some cases, indistinguishable. Following this format, there are theoretical propositions that fit into each of these two groups.

The second category argues that there are inherent links between war and genocide. An argument of this kind has been put forth most recently by Martin Shaw in his work *War and Genocide* (2003). Shaw explores the connections between war and genocide by looking at the roots of killing practices in modern society. For Shaw, war and genocide are not causally linked phenomena, where one can be causally derived from the other. Rather genocide, he argues, should be seen as a particular form of “degenerative warfare” where “the logic of war...can be seen as an extension of degenerative war” and consequently genocide (2003: 5). This position falls within the second proposition listed above in that genocide is not seen as a *sui generis* violent phenomenon, but merely an organised set of “intentional actions” subsumed under the category of warfare that is represented in a continuum of destructive violence directed at a perceived enemy (2003: 26). These genocidal actions are derivative of the “tendency in war [that] is a manifestation of the internal linkages between these types of *political violence*” (2003: 26; emphasis added).

Sociologists Eric Markusen and David Kopf, on the other hand, approach the question of war and genocide from a different perspective, yet they acknowledge the strong links between war and genocide. In their work *The Holocaust and Strategic*

*Bombing* (1996), they neither treat genocide as a form of warfare, nor as a *sui generis* form of violence, but rather as a practice linked by a set of collective actions and conditions common to total warfare. Drawing on the work of French writers who developed the term “total war” following the First World War, Markusen and Kopf argue that there exist “several commonalities and connections between genocide and total war” (Markusen and Kopf, 1996: 55). For these authors, genocide and total war are “forms of governmental mass killing that...are closely related” and do share important overlapping conditions (1996: 62). Rather than explore an idealized conceptual distinction between war and genocide, they use the adjective *total* to lay claim to a particular dynamic of warfare as it occurred in the last century, which they argue, bridges the distinction between war and genocide. Total war differs from war in terms of the societal scope of those rallied to support the war effort, as well as the societies demonised by the scale of the conflict. In other words, total war remained largely what it was for the French forerunners of the concept (Leon Daudet and Alphonse Seche): the rallying of an *entire* nation’s productive forces—not merely its military complex—that seeks and often results in the greater escalation of destruction directed at one’s enemy society, rather than at the state’s means of offensive violence. Total war is a concept that applies to conditions of “societal mobilization and destructiveness” that creates the propensity to kill entire civilian communities of each society engaged in the conflict (1996: 62). From this position of total war, Markusen and Kopf suggest that the connections and commonalities between total war and genocide are that:

- 1) Total war often serves as a catalyst for genocide.
- 2) Both genocide and total war involve the deliberate massacre of non-combatants.
- 3) Both forms of mass killings are generally conducted by nation-states and rationalized as being in the service of national security. (1996: 55).

These observations by Markusen and Kopf concern the common conditions which positively influence the occurrence of genocide and total warfare. Wars, in their view, can increase inter-group tensions where a minority group is portrayed as collaborators with a genuine external enemy. Secondly, the use of modern weaponry in war, namely large capacity aerial bombardment and atomic weapons that have the potential to destroy entire regions or countries, contributes to the establishment of a climate which “increases popular tolerance of cruelty” (1996: 65).

For Markusen and Kopf these elements of war are derived from the structure of modern governments, and serve to further enhance their position as a monolithic authority. Thus, wars which pose “a dire threat to the society” can create widespread instability between “preexisting inter-group tensions” which could result in “violence directed by the majority against members of a minority group”, that can become genocidal (1996: 64). Even without a history of these tensions they argue that the consequences of total war, whether they involve democratic or totalitarian governments, tend to enhance the “centralized, secret, and powerful” nature of governments due to the employment of censorship and propaganda (1996: 64). These overlapping tendencies encourage the military power of the state, which is often a necessary precondition in targeting of minority groups. These tendencies mean that genocide shares the conditions conducive to total war and thus warfare can serve as a catalyst for not only a policy of genocide, but also for warfare to escalate and degenerate into genocide.

Similarly, Shaw’s work repeats some of these observations. He argues that the distinctions that separate genocide and war “are only partial”, in the sense that genocide expresses identical traits of warfare (Shaw, 2003: 26). The most important of these traits are that 1) “the opposing sides aim to destroy each other’s power” and 2) “they are prepared to engage in mass killing of the enemy in order to achieve their goals” (2003: 28). Genocides, like revolutions, are both “contests” that resemble patterns of war. Shaw seeks to challenge the prevailing view that the asymmetrical character of power evident in cases of genocide (and revolutions) is “definitive contrast[s] with the symmetry of war” (2003: 28). In fact, he contends that genocide should be viewed as a distinctive form of degenerate war that expresses inherent *societal conflict* that exists between groups.

Following Clausewitz, Shaw’s central claim that “escalation is a law” of modern warfare means there is an inherent tendency for war to degenerate into systematically targeting civilian populations, what he calls “degenerate war” (2003: 183). Likewise, degenerate war can further degenerate into genocide, since both involve the use of lethal violence against civilian populations. He writes:

As Clausewitz argued, escalation is a law of war. We may say that it is a law of slaughter in general, including genocide. Once inhibitions on violence are broken, there is no logical limit: only what is dictated by its outcomes. This means that, on the one hand, once killing has begun, perpetrators will often continue until they have

reached their objectives (which the process of killing may enlarge) or, more likely, until they are checked (2003: 183).

This escalation occurs because the inherent propensity to use greater force is accompanied by the decreasing inhibitions towards killing. What further intensifies this process of escalation is that each side in a conflict seeks to out-perform and destroy each other, often in degenerative ways. Shaw draws these conclusions from empirical observations which suggest that genocides often occur in the context of war, revolution or political struggle where external and internal enemies clash in terms of their “*social power and experience between two social forces*” (2003: 40). Sources of these conflicts can derive from wider societal forces such as social inequality and globalisation, since such factors can exacerbate tensions between social groups and create the propensity to target their social power vested in civilian populations.

### *Genocide as Mutually Assured Conflict?*

The principal limitation of Shaw’s theory concerns the concept of conflict. Within this perspective, what makes genocide a degenerative aspect of warfare is the existence of a conflict of social power. To understand the mentality of the perpetrators, Shaw argues that competing social forces of society are the cleavages, which enables a policy of genocide. As he writes: “genocide...is the attempt by an organized, armed force to destroy the power of a social group through killing” (2003: 93).

The one significant empirical regularity that is overlooked by this theory specific to many acts of genocide is that the victims of violence are forced into an oppressive situation which was not entered into by their consent. In other words, for genocide to be understood as derivative of conflict there has to be a notion of mutuality present in the situation between groups. Instead of resembling a collision (from Latin meaning *conflictus*) of social forces, genocide is more like a singular pattern of attack by the powerful against the ill-constituted. Most victims of genocide do not take sides in a genuine conflict of opposing social forces.

Shaw does acknowledge that “the issue of genocidal ideology” identifies groups “as enemies in the minds of perpetrators” who often comprise “people who do not recognize themselves as a community, and whose imputed power bears little relationship to reality” (2003: 41). Likewise, Shaw does recognize that the victims of genocide are often mythical creations of the perpetrator’s propaganda and do not conform to any genuine notion of a ‘group’. Unfortunately, these observations do not

influence his theory of genocide-as-conflict. Instead, his theory of conflict attempts to challenge the “cult of the pure victim” in acts of genocide, where victims are viewed as helpless individuals (2003: 187). Passive subjects of violence are, in Shaw’s view, mythical and are instead viewed as pawns of competing organizational and social power who, despite their powerlessness, still have “roles as agents” (2003: 187). Subjects are thus imbued with the potential for resistance, even though such actions are nearly always futile. Only by mitigating this reality of genocide can Shaw’s theory overlook the fact that subjects of genocide refuse and do not consider themselves engaged in social competition against other groups, and thus do not control the grounds of ‘conflict’ which engulfs them. This means that the victims of genocide are *always politically and organizationally powerless* and, as I shall examine later, are selected for destruction in part because of this standing within the social structure. Even though victims are organisationally powerless, they are imbued by their perpetrators with threatening features that reveal their ‘genuine’ dominance. It is thus odd that Shaw should suggest that “we should define genocide...*by the experience of the victims as well as the mentality of the genocidists*” when it is clear that most victims of modern total genocide do not share the perpetrators’ competitive world-view, but are forced to contend with it (2003: 40). This forced contention characteristic of genocide shares little resemblance with the mutuality implicit in notions of conflict which Shaw suggests is a feature of genocide *and* war.

The conceptual consequence of this definition is that the social scientist is now constructing a model of genocide legitimating the arena in which the discourse of the perpetrators function, all of whom view ‘History’ (Stalinism), ‘Nature’ (Nazism) and ‘Nationalism’ (Milosevic’s Serbia) as the environment of social competition and survival at any cost and by any effective method. The genocide in Rwanda was an example where the international community chose not to intervene because it viewed the conflict as a civil war between rival ethnic groups<sup>1</sup>, thus validating, in part, the Hutu’s ideology of “self defense” (Des Forges, 1999: 78). As pawns constituting the power of social groups, Shaw’s theory views victims, whether they embrace ‘their own group’ or not, as part of a struggle between groups.

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<sup>1</sup> A reflection of this can be found in The New York Times front page article in October 1997 that reported on “the age-old animosity between the Tutsi and Hutu ethnic groups”, despite there being no recorded acts of violence before 1959 (Gourevitch, 1998: 59).

In his attempt to understand genocide from the mentalities of the *génocidaires*, Shaw has repeated a discourse of conflict employed by those who perpetrate genocide as an explanation for genocide. I am *not* suggesting that this approach directly legitimates the discourse of the perpetrators—as in verifying the legitimacy of racist doctrines or other specific supremacist worldviews. However, what this approach does is explicitly embrace the grammar of genocide which *imputes the general conditions of conflict that substantiates and enables a policy of genocide* and thus reclaims this condition by restating it on the level of theory as an explanation *for* genocide. This is perhaps the clearest example of a performative contradiction that betrays the character of those victimized by the violence of genocide. No matter how well intentioned this theory is, Shaw still repeats the discourse of the perpetrators at the expense of representing the force of the contention with which victims must struggle against. If the concern is to advance our understanding of genocide it does a disservice to the victims (and to the study of genocide) to accept without critical oversight the central doctrines that enabled their elimination.

Unfortunately, this conflictual element of genocide—Shaw’s key conceptual link with warfare—is not an effective explanation of many cases of total domestic genocide. The only way this conceptual scheme could account for genocide in the case of Rwanda would be if one could argue persuasively that the Rwanda Patriotic Front (RPF) was the representative force of the ethnic Tutsi community as a whole. The problem with this position, however, is that it presupposes that Hutu government propaganda which recruited executioners and allowed further administrative unity in favour of genocide, is an accurate description of ‘Tutsi political life’—that there was in fact “no distinction between the civilian Tutsi population and RPF Soldiers” (Des Forges, 1999: 282). The *raison d’être* of the “civilian self defense” program, which organised much of the genocide in Rwanda, was premised on the expectation that there was or would be a ‘Tutsi alliance’ with the invading RPF (1999: 282). Shaw’s approach neglects fundamental attributes about the victims of genocide, namely that they are, as I shall discuss in the next chapter, targeted because of their powerlessness and do not accept the perpetrator’s conflictual worldview.

Shaw’s theory of genocide, unlike Markusen and Kopf’s theory, is limited by the adversarialism that is posited at the centre of the concept of genocide, which he uses to suggest that genocide is a form of warfare. Markusen and Kopf’s position, on

the other hand, distinguishes war and genocide by its reference not to a specific kind of conflict, but rather to the conditions shared and inspired by total war. Yet, both Shaw and Markusen and Kopf acknowledge the propensity for warfare to degenerate into the targeting of civilian populations which increases the likelihood of genocide, and all seek to define genocide in terms of the processes that leads toward it. Shaw writes:

A Major cause of misunderstanding in the discourse of genocide is its equation with the successful completion of the process in a maximum sense...Genocide is then understood as a state of completed destruction rather than a process leading towards it. 'A genocide' as a discrete event is generally understood in this way, but it is misleading as it separates the result from the process that leads towards it (Shaw, 2003: 38).

Unlike Shaw, Markusen and Kopf focus on how war radicalises public opinion, and even those involved in war, into accepting the killing of civilians and other groups associated with the enemy population. The key factors in this 'escalation of violence theory' are the psycho-social forces brought about by the employment of organised violence itself. They arise from the propensities of customary warfare, which as Clausewitz recognised, leads to a mutual escalation of destructive violence. These patterns of escalation facilitate the effects of dehumanisation and technical distancing which inspire conformity and situate the other outside the boundaries of customary moral considerations. Unlike Shaw, these authors do not claim an immanent link between war and genocide. Rather, they argued for the propensity for total war to both escalate into and establish the conditions for genocide.

Shaw's theory, however, does not only seek to bridge the gap between these two concepts by arguments of propensity, like those discussed by Markusen and Kopf. Instead, Shaw takes this position further by claiming that conflict over social power is the immanent link between war and genocide. His theory thus unites war and genocide together by emphasizing their adversarial nature in terms of a competition or clash "*between two social forces*" (Shaw, 2003: 40). I argued that what is absent from this account is any critical scrutiny of the conditions of 'conflict'. In my preliminary discussion of the relationship of victims and perpetrators, I argued that victims are forced into a contention and situation which professes to speak on their behalf. Instead of critically evaluating this situation and the appearance of conflict, Shaw's theory of genocide-as-war merely restates the perspective of the *génocidaire* as an explanation for genocide. I will take up this relationship between the victims and perpetrators in

much greater detail in the chapters that follow. Before reaching the greater depths of this particular inquiry, I will now critically review those scholars advocating the position that strongly distinguishes between war and genocide.

*The Exclusive Divergence between Genocide and Warfare*

One of the strongest proponents of genocide's unique character derives from the work of Irving Horowitz. He argued that "genocide must be clearly distinguished from other forms of the destruction of human beings" since "domestic destruction and international warring are separate dimensions of struggle" (Horowitz, 2002: 29). Horowitz's argument that war and genocide are fundamentally different forms of violence is not based upon evaluating their empirical conditions, but by citing their moral differences. He wrote that

a social scientific vantage point must try to understand and analyse genocide as a distinct social phenomena...For this purpose genocide must be clearly distinguished from other forms of the destruction of human beings...The collective nature of genocide, in which the victim is "punished" for being part of some particular group...sets it apart from other social evils. The act of genocide contradicts traditional Western norms and approaches to law and morals, which emphasise individual responsibility for actions and, hence specific forms of punishments for transgressions (Horowitz, 2002: 29-30).

Horowitz thus argues from a moral perspective that genocide differs from other forms of violence because of the way victims are targeted and how they are systematically destroyed.

Markusen and Kopf, however, contend that Horowitz has been inconsistent regarding this distinction between war and genocide. Their claim is based upon Horowitz's arguments concerning the conflict in Vietnam, where he stated that "the line between war and genocide becomes profoundly blurred" during the new era of warfare where formal declarations of war cease to be imperative (Horowitz quoted in Markusen and Kopf, 1996: 60). Yet, this criticism fails to recognise that Horowitz is not averse to acknowledging the propensities that war can escalate into genocide because his argument is predicated upon moral, rather than empirical grounds. Thus, these arguments run past each other because the grounds for debate are premised upon either moral arguments or overlapping empirical conditions. The difference with Horowitz is that his theory breaks with this perspective of defining genocide in terms of the processes that enable it. Instead he claims that genocide is, unlike war, always-

already outside the boundaries of legitimate organised violence and operates under a different set of governmental and societal ideals than those involving war.

In support of this distinction, Horowitz cites empirical research which is based upon the work of R J Rummel. In Rummel's earlier work, he argued for an exclusive distinction between genocide and war, claiming that there are "no common conditions or causes" (Rummel quoted in Markusen and Kopf, 1996: 61). However, in his later work, Rummel developed the concept of democide that included types of mass killings under a more general rubric, one which does away with such strong conditional divisions between war and genocide. Rummel thus shifts his position to include the deaths of non-combatants who are killed during military attacks as a measure of democide and proposes empirical evidence to mitigate the arguments that there are common conditions directly linking war to genocide. Nevertheless, Rummel's theory still maintains that genocide is a unique form of government killing that can be measured and distinguished empirically by documenting the correlations between forms of government killing with the types of government. Although his work has developed to include other kinds of murderous actions by governments that may appear to create an umbrella under which genocide may be subsumed, Rummel still maintains a distinction between genocide and other forms of government killing based upon empirical measurements which documents the correlations between genocide and other types of government violence. Rummel maintains a distinction between war and genocide because

*...the amount of overall democide is highly related to the number of people characteristically killed in rebellions, but in general, this in turn has little to do with a regime's disposition to commit genocide or its annual rate of domestic democide (Rummel, 1995: 20).*

The evidence Rummel cites seems to suggest that "all genocides are independent of a regime's tendency to be involved in other forms of violence," such as war or revolution, because there is no empirical correlation between genocide and these forms of violence (1995: 20). Because "genocide is carried out even by regimes that have had...few or no war-dead", Rummel concludes that war has little to do with influencing the occurrence of genocide (1995: 20). If war was to have had such a positive influence upon the occurrence of genocide, this would be manifested in the positive correlation between war fatalities and cases of genocide. Although Rummel's

research does not rule out the influence of war, his evidence suggests that genocide occurs without the influence of large-scale killing resulting from war.

Both Horowitz and Markusen and Kopf's theories approach the distinction between war and genocide from very different positions to the extent that their respective arguments run past each other and, yet also overlap at crucial points. Both authors in fact regard war crimes and genocide as forms of governmental mass killing, yet Markusen and Kopf wish to assert the propensity for total war to become genocidal and reveal common forces which links these concepts. Rummel's later work does not deny this propensity claim because his empirical evidence shows only that most cases of genocide do not correlate with the *intensity* of war or revolution. This point does not deny any of Markusen and Kopf's claims outright, since Rummel's research does not measure the existence of any specific conditions established by warfare. Thus, their claims that the influence of total war can create not only the conditions for a policy of genocide, but also the crime of genocide itself by the use of modern (atomic) weapons remains unchallenged by Rummel's findings. Thus, what Rummel's evidence reveals, however, is that the *intensity* of war does not make genocide more likely to occur. This evidence is used to support his specific claim that wars are planned and conducted separately from the policy of genocide.

This section has attempted to demonstrate that the concept of genocide has been embroiled in debate about how its practice is related to warfare. The position that genocide is exclusive from warfare does not examine the influence of catalytic conditions caused by war or the propensity that war can directly result in genocide due to the use of modern weapons. The point to be taken from the arguments of Rummel and Horowitz is that genocide can be distinguished from war despite the existence of catalytic conditions created by regional or international war. The reason for this conclusion is that the processes that enable the possibility of genocide are not the 'proper' or only ways to define genocide. On the other hand, Markusen and Kopf, as well as Shaw, privilege conceptualising genocide by primarily considering the processes that lead to genocide. The problem with this position is that it convolutes genocide with war to such an extent that other processes which distinguish them are overlooked. As I shall examine below, there are very common practices of warfare that operate differently (or cannot operate) under conditions of genocide. These practices,

as I shall examine in the next section, help to distinguish between the practice of war and genocide.

### *Asymmetry and Surrender*

There are two practices that operate in a different manner under the conditions of war and genocide. The first, the asymmetry of violence, is conceptually the less poignant of the two, yet it reveals something important about how war differs from genocide. Scholars like Helen Fein and Chalk and Jonassohn argue for a distinction between war and genocide on asymmetrical grounds. For Fein in particular, genocide “is usually conceived of as an asymmetrical slaughter of an unorganised group or collectivity by an organized force” (Fein, 1993: 31). Chalk and Jonassohn, on the other hand, also suggest that “the victim group” is characterised by a lack of “organized military machinery that might be opposed to that of the perpetrator” (Chalk and Jonassohn, 1990: 23-4). Critics of this position, such as Markusen and Kopf, point out that their views rest on an overestimation and an idealized vision of warfare that is symmetrical, when in many cases aggressive nations “are often stimulated to undertake invasion precisely because they believe that they can prevail” when their enemy is most vulnerable or weak (Markusen and Kopf, 1996: 67).

Even though asymmetry of violence is also a feature of warfare, it is a much more common aspect of domestic oppression of groups because of the nature of modern nation states. The *raison d'être* of states and revolutionary organisations rests in their capacities for monopolising violence, which is not shared by many groups targeted by a policy of genocide. States and revolutionary organisations almost always possess an organisation of violence to secure or advance their political agenda, whereas victims of genocide rarely have the capacities for organisational violence. The essential point to recognise here, one that is not explicitly mentioned by the proponents of asymmetry, is that *total domination is often a necessary condition for total genocide*. Whilst asymmetrical violence is a variable feature of warfare, it is almost always an aspect of genocide, since most victim groups do not have the capacities for violence. This view does not mean that states and revolutionary organisations cannot also become the targets of a policy of genocide. Rather, my argument relies upon the empirical fact that most total genocides have been committed when all means of resistance has been extinguished regardless of the character of the targeted group.

Genocide is a feature not of battle or struggle, and is thus not accomplished within forms of violent symmetrical conflict, but instead exists principally as an aspect of total domination. Only when total domination is secured does genocide become a possibility.

The other, more revealing, practice that can better distinguish war and genocide is a feature of surrender. In Fein's later work, she argued in her definition of genocide that the concept of surrender is pivotal in revealing the distinction with war. Only under conditions of war will surrender mean an end to the killing of victims, "but the surrender of victims in genocidal situations does not avoid their mass murder but [instead] expedites it" (Fein, 1993: 21). She argued:

Genocide is sustained purposeful action by a perpetrator to physically destroy a collectivity directly or indirectly, through interdiction of the biological and social reproduction of group members, sustained *regardless of the surrender* or lack of threat offered by the victim (1993: 24; emphasis added).

Mass surrender of troops in cases of warfare can reduce and even end the killing of battle, whereas mass surrender during a case of genocide will only fuel the policy of extermination.

The ability of surrender, the giving up of oneself to an opponent to signify an end to hostilities, is a feature of conflict and hence of contemporary warfare, even though its practice does vary in certain cases and under certain conditions.<sup>2</sup> The act of surrender in genocidal situations, however, is not seen by the perpetrator as a cessation of organized conflict, since most victims are untrained civilians who have no connections with 'opposing' or 'threatening' forces. Instead of practicing surrender as a life-preserving strategy in conditions of warfare, under genocidal conditions surrender is seen as the conformation of the victim's relinquishing of life to dominant forces. As the perpetrators have associated their victims with inherent characteristics that constitute a threat by their *very existence*, surrender, in the hope of preserving life, becomes futile. As I shall discuss later, the architects of genocide procure and inculcate the idea of 'enemy' through methods to be examined below. Yet, it is sufficient to conclude here that the policy of eradicating a group due to inherent characteristics that defines one's association with a group privileges racial, ethnic or class characteristics

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<sup>2</sup> It is well-known that Allied soldiers of the Second World War, for example, who fought behind enemy lines, rarely took prisoners as they assumed that the risks of being discovered would be increased if prisoners were taken.

as the distinguishing “knife” upon which policies of genocide are conducted (Hintjens, 2001).<sup>3</sup>

Thus, the practice of surrender operates differently under conditions of genocide than during warfare. Situating genocide in the war paradigm has convoluted these divisions between war and genocide, as exemplified by the practice of surrender and the asymmetry of force. In order to render new understandings about genocide I have argued that asymmetry and surrender are two practices that reveal the distinction between genocide and war. In the next section I will argue that the distinction between war and genocide is more apparent when one compares them to the practice of politics.

## II. Genocide in a Linguistic Paradigm

### *Schmitt and Clausewitz on War's Relationship with the Political*

By virtue of its organization, genocide shares many characteristics with the practice of war. Yet, as I have discussed above, genocide, unlike warfare, is not mitigated by the act of surrender, and is instead fuelled by a condition of total domination. In this part of the chapter I will argue that this difference in the practice of surrender entails that genocide, unlike war, is not dependant upon dialogic communication to achieve an end to this policy. In other words, the policy of genocide cannot be mitigated by the actions or negotiations of its intended victims. Conversely, I will show that warfare shares an affinity with politics which reveals why its conduct can be concluded or contained by dialogic communication with an opponent.

The most notable contribution to the modern understanding of warfare was developed by Carl von Clausewitz in his compiled lectures *On War* (1976). Clausewitz is well-know for observing that war entails a tendency to exceed any restrictions (political and legal) placed upon it. Clausewitz's famous remark that “war is a continuation of political intercourse by other means” is an apt characterization of war's relation to political practice (Clausewitz quoted in Shaw, 2003: 19). War, in this view, is fundamentally a strategic action of force, designed to achieve a particular end by the deployment of military organisations. This description also reveals that war entails an

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<sup>3</sup> There are few cases where one might have saved themselves before the incitation of hostilities by some form of conversion, as in the Armenian case this might mean converting to Islam (Chalk and Jonassohn, 1990). However, such acts of clemency are exceptionally rare in cases of genocide.

instrumental logic that shares a *procedural* resemblance with images of governmental forms and political practice.

Clausewitz's idea of the extension of politics as armed conflict resembles Machiavelli's understanding of the political in *The Prince*. The instrumentalisation of politics features centrally in both accounts. Machiavelli viewed politics as a place where "ideals are centered on the issue of *ends* (what kind of society do we want?) and *means* (how will we get it?)" (Zinn, 2001: 124). The means of violence during war are principally directed at destroying an opponent's ability to exercise force for their own political purposes. Thus, the use of military force is expressed in service of political ends in order to carry through the opinions of authority. War therefore aims at the destruction or defeat of the opponent's armed forces through the creation of battle spaces where lethal engagement takes place.

Theories of just war, for example, argue that the use of violence can be underpinned by political communication. The central principle of 'just war', as Michael Walzer suggests,

looks to the restoration of the *status quo ante*—the way things were, that is, before the aggression took place—with only one additional proviso: that the threat posed by the aggressor state in the weeks or months before its attack not be included in this "restoration" (Walzer, 1992: xvii).

This description of just warfare as "restoration" means that war is not merely the event at which military forces collide in seeking the opponents' destruction, rather the military actions are themselves underpinned by negotiable, and hence variable, objectives. Walzer thus shows that there are political forces inside and outside of warfare that "can decide...that war is limited", and can therefore conform war to the principles of justice as they embrace political ends that seek restoration, in spite of the war's inherent tendency to escalate and exceed conventional boundaries (Walzer, 1992: 24). Regardless of how just the imposition of military force might be, it does emanate from a decision to compel its opponent to certain demands, in this case restoration. To this extent, dialogic communication manifest as negotiation has the possibility to limit or end conflict.

There is also another important reason why warfare is associated with politics. A second example of war's affinity with the political is acknowledged by the jurist Carl Schmitt. In his *The Concept of the Political*, Schmitt, unlike pacifist-liberal adherents or Clausewitz, understands "the political" by "virtue of its being able to treat,

distinguish, and comprehend the friend-enemy antithesis independently of other antitheses” (Schmitt, 1996: 27). This friend-enemy antithesis is to be “understood in their concrete and existential sense” where each side “denotes the utmost degree of intensity of a union or separation” (1996: 26). “The political”, he writes, “is the most intense and extreme antagonism, and every concrete antagonism becomes that much more political the closer it approaches the most extreme point” (1996: 29). The confrontation between friend and enemy does not merely constitute or resemble political action, but rather is fundamentally the condition *of* political action. As “War is the existential negation of the enemy” in its most ‘extreme point’, the real meaning of enmity, and thus politics, is precipitated by this condition between friend-enemy—that is, politics is *animated by the possibility* of realizing physical killing (1996: 33). Whereas Clausewitz merely understood war as an instrument of politics, Schmitt notes its meaning *for* politics:

War is neither the aim nor the purpose nor even the content of politics. But as an ever-present possibility it is the leading presupposition which determines in a characteristic way human action and thinking and thereby creates a specifically political behavior (1996: 34).

War, as an ever-present potential condition of friend and enemy, shares a close affinity with politics by virtue of a *contention*. Both sides in a political dispute craft their decisions based upon this potential to engage in physical killing. Thus, for Schmitt the potential of war inspires and conditions political opinions and negotiations between opposing views.

Both Clausewitz and Schmitt’s theories are testimonies to the relations between politics as negotiation and the spectre of warfare. An ironic feature of these theories is that they reveal the influence of political action in avoiding the use of force, a point central to anti-war doctrines. Thus, one of the reasons why anti-war positions are such appealing doctrines is the fact that war does share this relation with political action, and is often avoidable by other *dialogic means* where the contention can be mitigated or resolved through negotiation. This relationship can be demonstrated historically by the countless cases involving the surrender of opponents and by cases where warfare has been avoided entirely. Nevertheless, the importance of both Clausewitz’s and Schmitt’s testament to war’s close affiliation with the political decision demonstrates clearly that war is a situation of countering acts of will designed to compel through the use of violence (Clausewitz, 1982: 103). The tendency to progressively escalate the



scale of destruction until one can gain an unequivocal voice and determination of one's political will is the desired end. Thus, for Clausewitz "*war*" remains "*an act of violence intended to compel our opponent to fulfil our will*" (1982: 103).

The most crucial question that now must be faced for an understanding of war vis-à-vis genocide is how the victor performs in the moment of complete domination over one's 'opponent'. As I shall show in the next section, genocide does not share the same kind of conflictual nature, which is the hallmark of warfare.

### *Genocide as Monologue*

The reasons why genocidal actions differ communicatively from the political enmity embodied in warfare is due to its monologic nature. Genocide, unlike war, is primarily employed in the moment of complete domination where all effective resistance has been extinguished. In this circumstance, the desire to destroy the constitution of a group is independent of the will of those persons targeted by the perpetrators. Unlike genocide, the act of warfare presupposes that there is a will to be compelled on behalf of one's opponent; for the victor to exact demands from the vanquished. Genocide, on the other hand, does away with the will-compelling situation entirely. Genocide, as the act of total destruction of a group, denies that there is a will even to be compelled by the demands of the victor.

The acts of violence intended to destroy a group in a situation of domination indicates that the actions of perpetrators can never be mitigated by forms of dialogic communication. This is due to the intention to destroy, through biological interdiction, the living constituency of a group. As I will explore in chapter Four and Five, victims of genocide are targeted for extermination not because of *who* they are individually, but because of *what* their existence is understood to represent. Genocide is violence directed at destroying the physical representations of what a group constitutes, that is their 'nature'. Likewise, this 'nature' may also pertain to a group's history which has conditioned its members to act in certain patterns that cannot be changed. In either case, genocide is dependant upon a theory of action, which as Bauman observes, proclaims that "Man *is* before he *acts*, nothing he does may change what he is" (Bauman, 1991: 60). The Universalist (Natural or Historical) condition of extermination entails that no amount persuasion can save those targeted by a policy of

genocide. Thus, the desired ends are not political because the voices of those targeted are never considered except in so far as it might expedite their own demise.

Thus, a central feature which signifies and informs the distinction between genocide and warfare is a result of the incorrigible and non-linguistic characteristics of 'History' or 'Nature' attributed to the victims of genocide. For this reason—that these traits cannot be augmented to accommodate the will of the perpetrating authority—genocide does not entail a discursive dimension that is comparable within the demands of what I have defined as the political. Genocide is thus the *monologue* of forced eradication or extirpation since what is targeted is not the will-power of their position, but the other's 'nature' that 'constitutes' their existence. Before I conclude this chapter I would like to explore two other interwoven practices which demarcate war from genocide.

### *Secrecy and Illegitimacy*

There are other practices that operate differently under the conditions of war and genocide. Unlike the general conduct of warfare, one practice concerns the element of secrecy as an *essential performative element of genocide*. Whilst the detailed battle plans of war are always kept secret to prevent counter attack and ensure the element of surprise (often so fundamental to military success), the knowledge of battle is not only commonly known, but is also a rallying point for nationalist and patriotic sentiments. In international settings, on the other hand, the threat or expectation of warfare may be sought to encourage predictable actions of opponents that might end conflict by deterrence rather than by decisive military engagement. Thus, even the threat and expectation of warfare can change the contours of potential resolutions to conflicts as well as practical military strategies.

Knowledge of genocide, on the other hand, is always deceptively disguised as 'legitimate' conflict (warfare or emergency police action) or conducted in secret for the reason that such actions represent the purest sense of illegitimacy to the outside world. By keeping the action of genocide under a layer of secrecy or deception, the perpetrating authority seeks to ensure its effective execution without compromising the state's international standing. In other words, secrecy is necessary as the perpetrator's expectations are that the extremity of genocidal violence against civilian populations would likely provoke an organized response which could pejoratively influence the

government's standing. The recent evidence supporting this hypothesis comes from the case of Rwanda where leading "intellectuals debated strategies to counter international criticism...to persuade the world of a series of lies" (Des Forges, 1999: 26). Diplomats acting on behalf of the interim government in Rwanda, presented a situation to the UN that claimed the killings were "less serious than depicted abroad" and were influenced by "a spontaneous outburst of rage by a grief-stricken people" that was "justified by the need of "self-defense"" (1999: 26). Following international concern about the mass killings, authorities dispatched orders that the "killings should be brought under control and removed out of sight" (1999: 26). Rwandan national radio immediately broadcast that

the French were ready with further aid, but on condition that there be "no more cadavers visible on the roads" and that people "no longer kill...while others stand around and laugh" (Des Forges, 1999: 26).

The necessity of deceiving the world community about the genocide and veiling the actual conduct of the government's actions within a space of secrecy, demonstrated that should the slaughter be acknowledged as 'genocide', international condemnation and intervening action would have more likely followed. As such, secrecy was a necessary strategy to prevent any clear humanitarian grounds for intervention brought about by the moral revulsion of genocide. As the case of Rwanda demonstrates, government actions were purposely disguised as warfare to maintain this element of secrecy, which allowed this policy to become possible.

The case of Rwanda was perhaps one of the clearest examples of how the international community avoided intervention in a genocide. These denial strategies indicated that if atrocities can be portrayed and disguised as 'legitimate' military-police interventions in domestic affairs due to conflict, the architects of genocide can not only avoid hostile actions from other states, but also elicit material and logistical support for these operations.<sup>4</sup> As the efforts to maintain secrecy through deception are paramount for genocidal operations, one can make better sense of the fact that many genocides in

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<sup>4</sup> In 1965-66 the United States government supplied information ("the shooting list" of 4,000-5,000 persons) to Indonesian military forces regarding persons who were implicated as communist party members or sympathisers (Pilger, 2003: 17-48). Some 300,000 'communists', mostly rural villagers or ethnic Chinese, were systematically slaughtered by Indonesian military and para-military forces following an alleged 'coup' by senior 'communist' military officials. More recently, it has been revealed that the British government financed the sale of Hawk fighter-bombers that were used to attack East Timor where it was acknowledged by the Australian Parliament that "Suharto's troops had caused the deaths of at least 200,000 East Timorese, a third of the population" (2003: 23).

the last century have been ended, not by forms of dialogical communication (diplomacy or politics), but through the military acts of force.

### *Conclusion*

In this chapter I have explored the conceptual substance of genocide in contrast to warfare. Through an examination of specific theories of genocide, I have conceptually distinguished genocide from warfare by highlighting the difference between specific practices related to both concepts. My position has argued that genocide and warfare can be analytically distinguished by exploring how these practices diverge under the circumstances.

I first reviewed research that viewed genocide and warfare as conceptually linked and compared two variations of this kind of argument. Both Shaw, and Markusen and Kopf's work argued that genocide should be understood by the practices which lead toward the fulfilment of this policy. I argued that Shaw's attempt to understand genocide as a form of war (rather than as a *sui generis* phenomenon) entertains a performative contradiction, which restated the central ideological assumption of the perpetrators' worldview as an explanation of genocide. The flaw of this theory assumed that genuine conflict was the inherent conceptual link between genocide and war. I also discussed approaches that viewed war and genocide as distinct forms of violence. I showed that on one level the arguments between both sides failed to adequately engage each other as Horowitz's distinction was predicated upon moral, rather than conditional concerns. Nevertheless, Rummel's earlier arguments pertaining to the complete exclusivity between genocide and war appear to have been not only overstated, but have also undergone reconsideration as set forth by his theory of democide. Although his hypothesis is not conclusive regarding war and genocide, as it does not directly address the claims of Markusen and Kopf, Rummel has provided some helpful empirical evidence to show that the intensity of wars and revolutions do not make intense genocides more likely.

I have argued, unlike both positions above, that there are specific practices that can help us better distinguish between war and genocide due to how such practices operate and diverge under specific circumstances. By explaining the practices of surrender (first proposed by Fein), it became possible to make an informed distinction between war and genocide because under conditions of genocide surrender would only

expedite a policy of killing, rather than mitigate the loss of life as with war. This divergence indicated that the genocidal situation was not one of conflict, but one more resembling a monologic form of domination. This meant that in most cases of total genocide, victims did nothing to instigate this form of violence that was to besiege them. It was as if victims were the targets of a schoolyard bully who instigated violence upon a powerless or less powerful target *for reasons only derivable from within the bully himself*. Thus, as an intervention akin to narcissism, genocidal violence by an aggressive state cannot properly be called conflict, because there are no grounds that resemble a dispute in which the victim can comply or surrender. I supported this conclusion further by exploring the relationship between war and politics. I argued that the each side in a conflict is seeking to impose their will through the organisation of force. In cases of genocide, however, I showed that the will-complying situation of the victor no longer applies because what is sought is the destruction of the other's will itself, and not its compliance. Likewise, I have argued that genocide is distinct from war based upon war's relationship and affinity with the political, whereas genocide rests upon a monologic character in relation to the 'enemy-other'. This type of distinction may point to the reasons why, when genocides are halted, they are most commonly done so by the use of military force. Lastly, this monologic character of genocide is evident in the organised destruction of a group's biological-reproductive capacities regardless of the other's attempt to negotiate or surrender.

Although I agree with Leo Kuper's conjecture that "forms of genocide are too varied, with quite different sequences of action, and great differences in scale, raising different 'logistical problems'" to formulate a single *causal scheme* involving genocide, it is possible to make meaningful distinctions in isolating genocide from other violent practices (Kuper quoted in Markusen and Kopf, 1996: 57). In the following chapter I will build upon these distinctions in my exploration of the paradoxes of genocide.

## Chapter Three

### Paradox, Governance and Modern Genocide

*Not one of them was guilty of anything; but they belonged to a class that was guilty of everything.*

*The Second Day*, by Ilya Ehrenburg<sup>1</sup>

*Our great goal was the universal triumph of Communism, and for the sake of that goal everything was permissible—to lie, to steal, to destroy hundreds of thousands and even millions of people, all those who were hindering our work or could hinder it, everyone who stood in the way. And to hesitate or doubt about all this was to give in to ‘intellectual squeamishness’ and ‘stupid liberalism,’ the attribute of people who ‘could not see the forest for the trees’.*

An activist’s reasoning of the Ukrainian genocide<sup>2</sup>.

In this chapter I endeavour to recontextualise the study of genocide by prioritising an examination of its paradoxes. My goal in contending with these paradoxes is to reveal that there are quintessential aspects of genocide that require a certain kind of explanation. I argue that the paradoxes reveal that there are practices and a set of ideas about government which run through and link particular cases of genocide. The existence of these genocidal patterns can be accounted for theoretically and in the following chapters I give an explanation of what these practices are and how they function in making genocide possible.

Within this chapter, however, I argue that the existence of two paradoxes in particular is an indication of empirical patterns which expose the nature of what we know as modern genocide. I analyse these paradoxes and regularities through a detailed study of two distinct cases of genocide. I will describe these empirical traits of genocide and explain why any theory of genocide should contend with them in the course of explanation. I suggest that the reasons for contending with these paradoxical aspects of genocidal practice is that such occurrences are preponderant characteristics of most cases of modern genocide, which privilege and exclude specific influences or

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<sup>1</sup> (Conquest, 1986: 143).

<sup>2</sup> (Conquest, 1986: 233).

variables that can allow one to gain greater insight into how governments employ the highly organised resources of the state in making such an action possible.

In the second part of the chapter I show how the paradoxes of genocide can reveal the weakness of specific theoretical presuppositions. I expose these fallacious assumptions within two important empirical contributions to the study of genocide. Whilst the empirical research of these theories is important and properly qualifies an inquiry into genocide's association with totalitarianism, I argue that their approaches harbour fallacious presuppositions that mitigate a more adequate understanding of genocide. In light of these paradoxes, I argue that it is possible to reveal the links between genocide and the empirical evidence in a new and more adequate way. Thus my goal in part two of this chapter is to show how these paradoxes can be used to throw new light on the available empirical evidence, and identifying the specific variables worthy of investigation.

Critically evaluating the paradoxical practices and discourses of states that commit genocide requires the observer to make an evaluative distinction between the actions of government officials and their self-defined motives. I will have more to say about the particular point of motive later on in chapter Six. In this Chapter, however, I address how the policy of genocide fits with their self-professed principles of government. I expose these paradoxes by squaring the intensions of government with their reactions to crises situations. I therefore conduct an immanent critical evaluation of the motives and actions of such states by employing the perpetrators' own logic against the actions and consequences of their own policies. This method avoids privileging un-testable and general categorical variables presented as explanations of genocide (like the authors examined in chapter One and Two). By focusing on the common strategies of genocidal governments and their own self-described motives, this method also allows one to offer descriptions without attributing unfounded situational values (such as 'ethnic conflict') as informative of general conditions of genocide or general values (as in materialist or psychological explanations) to specific policy decisions. As this examination critically evaluates the values that are already present in the situation, I believe these kinds of misjudgements associated with general theory can be avoided by an immanent examination of the paradoxes of genocide.

Ultimately, this chapter establishes the foundation of my approach to describe the essential system of ideas that shapes and enables forms of governmental action that

makes genocide thinkable and enactable as a policy. I suggest that deciphering these performative paradoxes reveals the links between the genocidal atrocities and totalitarian thought that can give a better indication of these influential ideas. It is to this that I now turn.

## I. Paradoxes of Modern Genocide

The opportunity to identify and exploit the paradoxes of genocide as methodological tool has not been fully explored by scholars of genocide. Even though some have acknowledged and subsumed these contradictions under other ‘morbid rationalities’,<sup>3</sup> the opportunity of identifying the contradictory tendencies in genocide as paradoxes that direct and inform the course of study has been overlooked by all scholars to date.

The most important and revealing paradoxes of genocide are those which allow the analyst to disprove and exclude specific descriptions and open the way for new understandings about the thinking underlying genocidal practice. Although not a study of genocide, a recent exemplar of this form of analysis has been conducted by Slavoj Žižek in his evaluation of Stalin’s self-destructive treatment of his own party. Žižek has suggested that Stalin’s purges highlights “*The radical ambiguity of Stalinism*” as such secret police action “bears witness to the radical self-contradiction of the regime” (Žižek, 2002: 128). As Žižek reveals:

This inherent tension between the stability of the rule of the new *nomenklatura* and the perverted ‘return of the repressed’ in the guise of repeated purges of the ranks of the *nomenklatura* is at the very heart of the Stalinist phenomenon: purges are the very form in which the betrayed revolutionary heritage survives and haunts the regime...incessant purges were not only to erase the traces of the regime’s own origins, but also as a kind of ‘return of the repressed’, a reminder of the radical negativity at the heart of the regime (Žižek, 2002: 129, 128; emphasis added).

This “perverted *authentic* revolution” is expressed paradoxically (that is, self-destructively) as it “compels the post-revolutionary new order to (re)inscribe its betrayal of the Revolution within itself” in the form of arbitrary arrests and killings of its own members (2002: 128, 129). This type of analysis, in illuminating the ambiguous and paradoxical tensions within governmental practices, can lead to new

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<sup>3</sup> Zygmunt Bauman identifies a contradiction of the Nazi genocide not as a paradox, but as “the morbid tendency of substituting the means for the ends” concerning the “episode of the murder of Romanian and Hungarian Jews, perpetrated with the Eastern front just a few miles away, and at an enormous cost to the war effort: priceless rail carriages and engines, troops and administrative resources were diverted from military tasks in order to cleanse distant parts of Europe for the German habitat which was never to be” (Bauman, 1991: 106). An important paradox Bauman does identify concerns the history of racism vis-à-vis Nazi racism (1991: 61).

understandings; in this case, of the Stalinist regime as not a betrayal of a revolutionary heritage (as many leftists have claimed), but a self-contradictory perversion of revolutionary practice (2002: 93).

The importance of addressing these paradoxes derives from their position within the operations of governments as they encompass two key elements of genocidal practice: the performative classification of the victim group and the professed and genuine values of the perpetrator group. The latter paradox I characterise as the *perpetrator's paradox*. This is where the state elite desires the achievement and creation of a new social or political existence by the elimination of the other forms of existence that directly negates the actual fulfilment of the government's own professed vision for its ideal community. Put simply, the efforts to totally eliminate the enemy-other actively contradicts the practical realisation of the new professed social order, rather than serving to fulfil it. The key formula within the perpetrator's paradox concerns the existence of a moment of self-negation that undermines a government's professed ambitions—desires which are central to the self-identity of the state. The policy of genocide is a self-negating intervention that qualifies the central ideals of the state by destroying them. The perpetrator's paradox of genocide is the elimination of a people through a language that professes to express their will. Genocide is thus an immanent expression of the universal category that performatively contradicts it. The paradox is that genocide is the prime expression of a universality that is also its own negation. Revealing this paradox does *not* mean that this self-negation is always fatal for the perpetrating government, even though there are cases where this has occurred. Rather, I am suggesting that the perpetrator's paradox undermines the government's self-identity and structure in various ways.

The *victim paradox*, on the other hand, occupies a different place within the policy of genocide. Qualifying the self-contradiction with the term 'victim' entails that this paradox involves the practical processes of selecting the targeted-other populations. This is where the victims of genocide are portrayed as powerful and persistent threats to the existing social and political order, yet in actuality such groups are virtually powerless as they are excluded from any serious or determining positions of authority, not only over their own affairs, but also over wider society. The targeting of the other is predicated upon the notion that weak and ill-constituted peoples are threatening agents for reasons that derive from their powerlessness. The paradox is that

the other's incorrigible or 'natural' weakness is the pervasive-threatening component to the current existence and future design of society—the 'power' of their powerlessness which is to be eradicated.

As expressed within a determinist formula, the other's otherness—their weakness and ill-constituency—is expressed as a contained, yet abstract category that serves a vital function for the policy of genocide. This category that contains the paradoxical image of the other, what Žižek has called the “quilting point (the Lacanian *point de capiton*) of our ideological space”, serves to “unify the multitude of actual political opponents” into a single point, where this classification itself represents an “intervention that changes the coordinates of the very field of meaning” when thinking about the other (Žižek, 2002: 111; Žižek, 2002a: 132). A necessary component of this unified category, indeed the capacity that makes this category function, is the power of transcendental imagination—the Kantian category of *Einbildungskraft*. In order to identify the ill-constituted enemy, one must situate this figure in a logical scheme that expresses tangible features of the enemy which demarcates this image as a target which demands intense confrontation. By providing the concrete instances of this enemy figure, the other's otherness becomes the *point de capiton* of struggle that 'reveals' and 'solves' the problem of their ill-constituency to the point where the other's 'observable traits' becomes synonymous with insecurity and danger.

This shift in judgement creates the potential for arguments embracing special pleas which result in 'special treatments' that are derived from this 'threatening' other which one must consider and confront in a fundamentally new way—that is, outside the conventional boundaries of the existing moral and political order. Facing this problem in a 'new way' thus entails challenging moral assumptions about the other and overcoming any traditional restrictions that might allow society to think of this threat in a conventional way as, for example, a society may treat a criminal or traditional political foe. A key feature of the paradoxically caricatured and unified image of the other is that it serves to generate social expectations that are formulated into concrete action directed toward this new-categorical 'threat'. The technical measures involved in adapting the moral and political order to confront this threatening other will be explored in Chapter Four. However, the kinds of emergency interventions that extend from the decisions of executive authority, which circumvent or suspend of the moral and juridical order, constitute measures that attest to the fundamental premise of the

victim paradox—that the view of the unified enemy-other is self-contradictory as the ‘strength’ of the other is constituted by their Natural or Historical powerlessness. This caricatured and paradoxical figure inspires a paradigm of motivations that enable a radicalisation of policy, all of which restricts, suspends or circumvents the traditional appearance of the other as moral and political subject.

By revealing these paradoxes I want to suggest that they uncover something about the practice of genocide and government which has hitherto been unexplored in detail. The genocidal reactions to this paradoxical *point de capiton* not only undermine the intentions to preserve the success of a new social order, but more importantly reveal the underlying components of what I call, and will later explore, the logic of genocide. These two paradoxes are an indication that there are other intentions informing the government’s policy of extermination. Once these are revealed they can be differentiated from other traditional ‘principles of rule’ that will give us a clearer picture of the motives and influences informing genocide. I suggest at the end of this chapter that a prime motive of genocide is greatly influenced by the effort for radical societal self-creation where the other becomes, in a perverted way, the guiding struggle of this effort.

Finally, these paradoxes of genocide, despite being perverse and horrific, are in keeping with the logic of modernity. As I argued in the last chapter, the policy of genocide assumes that there is a stage of resolution where the antithesis with the other is settled by their eradication. The modern assumption underlying this effort is that genocide has a purpose in reshaping society within a kind of universality. As Zygmunt Bauman famously suggested, modern genocide “*is genocide with a purpose*” that is set within an instrumental logic of social engineering (Bauman, 1991: 91). The idea of the “gardening society”, where social institutions are grown or extirpated according to bureaucratic procedures, is of a rational social order organized by the state where “society is a subject of planning and conscious design” (1991: 91). This does not mean that merely reforming particular elements of society are subjected to rational review, rather the goals and plans of a gardening vision are much more radical and ambitious. This entails that “one can and should remake the society, force it to conform to an overall, scientifically conceived plan” (1991: 91). As Raul Hilberg has described, the way the Nazis achieved their policy, which embraced the modern rationality of the highest effect at minimal cost, was done through implementing progressive stages to

the policy of genocide. He suggested that the destructive process begins with ‘definition’, where the individual member of the group is seen as exemplars of a different category who demands special treatment. This stage is followed by ‘dismissals and expropriations’ from civic enterprise and the concentration or segregation of the other from society. From here genocide and the confiscation of personal effects are the final stages of annihilation. As Bauman has argued, these “logically determined” stages form a rational sequence of means-end reasoning that “prompts us to seek the shortest ways and most efficient means to the end” (Bauman, 1991: 191). These modern sequential stages signify “*the logic of eviction from the realm of moral duty*” that creates mental and physical distance between the other and the rest of society (1991: 191). Thus, for Bauman the logic of distancing, that removes the victim from *all* moral concerns, situates the other as objects of technical considerations—they become the exclusive objects of expert-bureaucracies—making their destruction morally possible. In the two case studies I explore below, there is little question that the hypotheses of Bauman’s theory possesses valuable explanatory power for understanding the moral and modern-technical features of genocide. Yet, the two kinds of paradoxes that I expose can tell us much more about the specific motivational logic underpinning of genocide and, later, how these logics differ radically from politics and law.

### *Rwanda, 1994*

In 1994, the Rwandan genocide was conducted on a scale that marks it as “the fourth biggest genocide of the last century”, claiming the lives of 800,000 people including 75% of the Tutsi population (Lemarchand, 2002a: 307). The genocidal paradoxes in this case are embedded within a complex history emanating from colonial rule in the Great Lakes Region of Africa. These events, which predated the seizure of power by Hutu groups under the banner of “Hutu Power” (locally known as ‘Hutu Pawa’)<sup>4</sup> and the subsequent genocide, cannot be confined merely to the state of Rwanda. Rather, the movement behind the 1994 genocide was interwoven with a common colonial history

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<sup>4</sup> As Des Forges reports, this term “Pawa” served as a shibboleth for civilian cells that guarded the checkpoints or “barriers” and patrolled the villages or zones. They were highly organized into cells by the prefecture in an operation that held records about registered residents and their personal details. The Tutsi in these areas faced a conundrum, either they registered and exposed themselves to attack by local security forces or they risked immediate condemnation as “Inyenzi” (‘cockroaches’) if they were discovered (Des Forges, 1999: 524).

where the question of internally displaced persons (IDP) has been a languishing, yet intense political issue following the colonial revolutions. Under these conditions, elites, particularly in Rwanda, have exploited the tensions between ‘ethnic’ groups for their own hegemonic advantage that contributed to a policy of genocide (Mamdani, 2000).

Following the movements toward independence in the 1960s, there was a competition for national authority in these states emanating from particular regional, as well as ethnic centres, some of which sparked and coincided with political-ethnic violence. One of the most severe cases occurred in Burundi in 1972 where Hutu parties, who had attempted to take control of the government on several occasions, were savagely slaughtered by the Tutsi-dominated army killing some 100,000 Hutus (Des Forges, 1999: 134). In neighbouring Rwanda the dynamics of this post-colonial power shift should be seen as internal to the newly emerging government in geographical, rather than ethnic terms. “Regionalism”, Lemarchand writes, “rather than nativism”—the relations between ethnic groups—was the hallmark of the 1959 revolution as it placed the levers of power firmly in the hands of politicians from the south-central region (the Banyanduga), thus paving the way for the revenge of the northerners (Bakiga)” (2002a: 308). This fact challenges the prevailing ‘age-old’ ethnic-political vision of the region as represented by popular journalism. Most journalistic accounts following the 1994 genocide reinterpreted Rwandan pre-colonial history as founded upon historic ‘ethnic-tribal conflict’ between groups<sup>5</sup>; even though it was known that “Tutsi, Hutu and Twa were used as status terms rather than ethnic terms...inseparable elements of a single social structure” (Hintjens, 2001: 27). Even until the early 20<sup>th</sup> century, an individual could be both Hutu in relation to his patrons and Tutsi in relation to his own clients, indicating that these were civic rather than ethnic terms of identity (Lemarchand, 1996: 9-14). ‘Tribalism’, reported by popular journalistic accounts, is a term that yields greater credence to the discourse of those groups that sought to conduct genocide in order to support this ethnic worldview. It must therefore be noted that it was not until the beating of a Hutu political activist, Dominique Mbonyumutwa, by Tutsi political activists in 1959 that there had never been any “systemic political violence recorded between Hutu and Tutsi—anywhere” (Gourevitch, 2000: 59). Underlying this tribal terminology are colonial-racist

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<sup>5</sup> See the front page of *The New York Times*, in October 1997 that reported on “the age-old animosity between the Tutsi and Hutu ethnic groups” (Gourevitch, 2000: 59).

assumptions about black Africans and their inherent unintelligent disposition towards violence, all of which ignores the sophisticated propaganda and organizational planning that made the genocide of 1994 possible. From the local burgomaster to the military and ministerial officials, the genocide was an organized enterprise with the prime purpose of extermination, practically enacted by tracking persons, monitoring the demographics of targeted populations, determining their ethnic identity, directing victims and perpetrators to the places of killing and organizing the disposal of corpses. All logistical issues were confronted by government officials at varying levels in coordinating popular participation through rewards and punishments, and financing and supporting the bands of perpetrators (Des Forges, 1999: 231-62).

The kind of colonial rule developed in Rwanda was derived and built upon already existent social stratifications within society. The unique developments of the colonial methods of rule came in the form of substantiating this stratified society using racial distinctions. Thus, the perpetrators of genocide did not create any of the racist-ideological language used to rally the population behind the idea of a Hutu state. Rather they relied upon already established patterns of popular race thinking and animated these stories that would help promote ‘the Tutsi’ as a *point de capiton* of the Hutu dominated society. Those “defined as Hutu and Twa, according to the race theories of the day, were lower down the evolutionary ladder than Tutsi” based on ‘biological’ traits, such as the tendency for Tutsi to be taller (Hintjens, 2001: 28). Even the Catholic mission in Rwanda in 1930 viewed the Tutsi as the proper and “well-born” aristocracy, and were great advocates of Hutu disfranchisement (Gourevitch, 2000: 56). Despite racism being “the cornerstone of colonial policy”, where identity cards, racial theories of origin taught in schools and other political measures carved up the Rwandan landscape in favour of the Tutsi monarchy, the missionary Monsignor Louis de Lacger remarked in 1950 that

One of the most surprising phenomena of Rwanda’s human geography is surely the contrast between the plurality of races and the sentiment of national unity. The natives of this country genuinely have the feeling of forming but one people (2000: 54).

Rwanda is a country where the majority of people share a common language, Kinyarwanda, yet the colonial restructuring of Rwandan society meant that new discourses supporting this division were a fundamental accompaniment. Thus, with “every schoolchild reared in the doctrine of racial superiority and inferiority, the idea

of a collective identity was steadily laid to waste” (2000: 57-8). The divisive discourses that arose out of this situation were based on the competing claims of entitlement and injury, which fell “on either side of the Hutu-Tutsi divide” (2000: 58). It was only during Rwanda’s revolution, which lasted from 1959 until independence in 1962, that “marked the first time in Rwandan history that civilian Tutsi were killed” in acts of racial-political violence (Hintjens, 2001: 32). Rwanda’s self image, drawn from the experience of colonial rule, became interwoven with an ethnic view of the world during colonial rule. Once this racial worldview was brought into a revolutionary context where governmental authority was in contention, groups supporting justice for the Hutu majority became influential, making the ethnic tensions between Hutu (the majority), Tutsi and Twa (the minority) an essential element of recent political history. Thus, race language was not an inherent force that existed prior to colonial rule which served as an ever-present spring of latent hatred and cause of social division. Rather, this kind of political discourse only became socially preponderant and systematically influential in Rwanda during periods where state authority was in serious contention, principally following the revolution and during the 1980s and 1990s. Despite the erroneousness of this perspective, racial discourse was consistently associated with political expediency. Although this language was never completely reliable or successful method of securing political support, this began to change following the assassination of the president of Burundi and the military threat posed by the RPF. With the regional struggles for and against ethnic diversity being a dominant political issue since the rise of regional tensions associated with political issues (like democracy, IDP, the RPF), the idea of ethnicity became a viable, yet caricatured and disingenuous political discourse in the hands of those who sought to remake the Rwandan state.

### *Strategies of Violence in Rwanda and the RPF*

In order for ethnic difference to become the blade with which to divide and reshape the human landscape of Rwandan society, the government employed a set of strategies which could ensure the conditions necessary to employ genocide as their method of securing a Hutu state. What will be argued below is that genocidal violence was a method bureaucratically crafted and specifically designed to liberate an ethnic logic from the kinds of common sense restraints and counter political interests within

society. Genocide and other acts of mass atrocity are the methods that can add greater realistic fervour to ethnic ideologies and political parties. Such movements exploit and incite social divisions which were once marginal or nonexistent. This pattern of violence challenges the line of thought that deep seated hatred of a racial form is a necessary precondition for genocide and mass atrocity. Violence itself can thus function to radicalise mundane social and political divisions in patterns which can escalate given conditions where governments desire greater ethnic division as a political strategy designed to initiate radical change.

Anti-Tutsi parties, principally the Coalition for the Defense of the Republic (CDR), opposed to any dealings with the Rwanda Patriotic Front (RPF), actively used violence to undermine the Arusha negotiations from which they were excluded in 1992-3, allegedly at the request of the RPF. In the recent events leading up to the genocide in 1994, many of “these extremists reacted bitterly to the provisions of the Arusha accords which called for power-sharing and, especially, the [ethnic] integration of the armed forces” (Jones, 1995: 243; Lemarchand, 2002b: 12). Segments of other parties that were officially in support of the talks, such as the Democratic Republican Movement (MDNR), were also caught up in these reactions. The use of violence by extremist Hutu officials was an effective means at ceasing political power from every sector of the party structure, which effectively destroyed the party system through the creation of the “Hutu Power” movement.

Prior to the genocide these ethnically divisive events were based upon the real historical and present threat of invasion posed by Tutsi commandos and paramilitaries. In 1963-4, following independence, there were attempts by Tutsi commandos—the so-called *inyenzi*, or “cockroaches”<sup>6</sup>—to fight their way back into the country to which they were once driven following the revolution (Lemarchand, 2002b: 504). When a group of armed Tutsi refugees from Burundi nearly captured the capital city in December 1963, the response by Hutu mobs killed an estimated 5,000 Tutsi civilians in Gikongoro prefecture. By the late 1980s the Rwandan community in exile had grown to 600,000 people, most of which were defined as ‘Tutsi’ by the Rwandan government and were systematically (politically, juridically and socially) excluded within their

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<sup>6</sup> This term became attributable to all Tutsi during the genocide. Its origin, Lemarchand reports, is a deliberative deformation of *ingenzi*, meaning “brave”, which applied to the post-revolutionary Tutsi guerrillas (2002: 517).

countries of residence.<sup>7</sup> As this IDP situation was seen to be languishing by the exile community, the RPF decided to return home on its own terms and sought the overthrow of the Habyarimana regime.

This external threat by exiled ‘Tutsi forces’<sup>8</sup> was again realized in October 1, 1990 when RPF forces invaded from Uganda. During the counterattack by government forces, which succeeded in pushing the RPF forces back towards the border, with the help of foreign military support from France, Belgium and Zaire, the government sought to use the invasion to elicit broad base support from the Hutu community at the expense of the Tutsi principally through the use of force. In a strategy reminiscent of the 1960s, the government, on October 4, 1990, faked an attack on the capital and attributed it to RPF infiltrators and Hutu “accomplices”; even though RPF forces were 45 miles north of Kigali. Under the pretext of national security, “the government began making massive arrests...eventually imprisoning 13,000 people” extrajudicially and without charge, holding many of them for several months (Des Forges, 1999: 49). Instead of effectively dividing this opposition along ethnic lines, these arrests reinforced the image of the Habyarimana government as a repressive regime and served to unite the government’s political opposition.<sup>9</sup> Despite this complication, the government actively supported Hutu extremist elements in other political parties and the youth militia, known as the *Interahamwe*, through the military. This strategy of support and reaction to non-existent domestic threats was only to become fully implemented later by the Hutu Power movement and the interim government during the genocide. Even though some of these executive police measures backfired, they revealed the government’s concerted effort to liberate ethnic language in a way that could be widely used to legitimate violent forms of intervention for the purposes of societal design.

The assassination of Burundi President Ndadaye at the hands of Tutsi military officials in his own army and other military operations by the RPF, were significant developments that greatly influenced the party structure. Many saw these actions as a

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<sup>7</sup> Tanzania was the only exception to this where the government actively encouraged their integration into the local population. Cf. Des Forges (199: 48).

<sup>8</sup> Not all RPF forces were Tutsi, in fact its leader, Colonel Kanyarengwe, was a Hutu serving under Habyarimana before defecting after threats that he was plotting against the president.

<sup>9</sup> Domestic and international pressure forced the government in June 1991 to ensure political and civil rights and subsequently made multiple political parties legal that argued for a power sharing coalition government.

betrayal of any attempt at uniting Hutu and Tutsi peacefully and democratically, and which further fuelled the radical elements with the social structure that embraced violence and genocide as a viable ‘solutions’ to these divisions. These events were also evidence that the ethnic divisions emanated and ran through not only sectors of Rwandan society, but also throughout other countries in the Great Lakes Region. Once Habyarimana’s plane was shot down on April 6, 1994, killing everyone on board including the President of Burundi, Cyprien Ntaryamira, and other senior officials of Habyarimana’s government, the killing of Tutsi and other civilians occurred shortly after, spearheaded by elite government forces under the command of Bagosora, the Minister of Defence—a leading supporter of the Hutu Power movement. From this point the government got support from various sectors of society (for example, businessmen and clergy) and widened the genocidal violence by eliminating senior national and local officials opposed to the killing, in an attempt to control the entire state for the purpose of genocide. This executive and murderous reaction to the President’s assassination served the Hutu Power contention that ‘Tutsi unity’ with the RPF was behind the attack. In turn, government forces realised that selective government atrocity against Tutsi would provoke violent reactions from the RPF. This kind of violence and counter reaction would add *prima facie* plausibility to the victim paradox which claimed that the Tutsi were ‘genuine’ threats because of their secret alliance with the RPF, and that when Tutsi were attacked the RPF would rise to their defence. Once those in control of the government accepted the insolubility of the ‘ethnic’ problem which they themselves had procured by promoting ethnic divisions and vilifying the RPF, the imprisonment and ethnic killings under the Habyarimana Presidency could be seen by the population as ‘confirmations’ of the existence of Tutsi and Hutu ‘conspirators’. Thus, after the assassination of the President on April 6, 1994, the strategy of systematic violence was an established pattern that served to confirm the tenets of the Hutu Power ideology which had consistently predicted that secret Tutsi forces would seek to violently undermine the Hutu state.

In spite of the genuine threat posed by the organised and disciplined RPF forces in Northern Rwanda and Uganda, Rwandan Tutsis were a well-integrated part of many local communities and possessed distant or no actual connections with these military forces. This is to say that the RPF did not represent the ‘Tutsi community’ as the Hutu Power propaganda of “Tutsi unity” had openly proclaimed, and thus acted in terms of

this ethnic division as a whole (Des Forges, 1999: 73). Yet, the genocide was conducted and based upon the language that viewed Tutsi as a serious threat should Tutsi rule return in the wake of an RPF invasion. This expectation meant that the genocide targeted those socially powerless sectors of society to challenge the clandestine threats which would align with the invading RPF. The victim paradox in this case was represented in a narrative based upon the retributive notion of ‘the return of the repressed’, and was a central tenet of the Hutu Power movement that enabled the strategic implementation of genocide. Fuelled largely by the external military force posed by the RPF, the acts of violence against Tutsi before and during the genocide were in part acts of clarification that functioned to divide people along the prophecy of ‘Tutsi unity’ that could be only addressed by genocidal violence disguised as ‘self-defense’.

*The Myth of ‘Tribal Conflict’ and ‘Tutsi Unity’*

The concept of retributive genocide, used by many genocide scholars to describe this event, has the effect of characterizing the Rwandan genocide as one of mutual conflict between ethnic groups. Yet, the fact remains that the majority of Tutsi killed in the 1994 genocide were rural villagers almost indistinguishable from their Hutu neighbours and with no links to rebel groups and other recalcitrant political organizations<sup>10</sup>. Like the majority of victims in other genocides, common Tutsi and their ‘Hutu accomplices’ were politically powerless in relation to the Hutu-dominated state, even though they were killed under the pretext that they were or *would be* aligned with the ‘Tutsi invaders’. The reason why Rwanda is considered by some to be an exemplar of a ‘retributive’ genocide is to suggest that genuine and pervasive group conflict caused the policy of genocide. By positing this adversarial premise at the centre of such descriptions one is straying dangerously close to representing and legitimating the ‘civil defense’ discourse employed by the Hutu Power movement:

In the case of Rwanda, to embrace the idea that the civil war was a free-for-all—in which everyone is at once equally legitimate and equally illegitimate—is to ally with Hutu Power’s ideology of genocide as self-defense (Gourevitch, 2000: 182-3)

As retributive genocide means “to eliminate a real or potential threat”, one must assume that ethnic Tutsi were also out for mutual revenge as they *realistically*

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<sup>10</sup> The RPF was not a domestic mass movement and had only 600 ‘cells’ of 6 to 12 people throughout the country that declared their support of the party, most were based in Kigali.

constituted a threat to other groups (Chalk and Jonassohn, 1990). For this reason, the Hutu movement, echoing the positions of many in the government, had to portray the notion of ‘Tutsi Unity’ as being constitutive of Tutsi civilian life. This propaganda posited the myth of Tutsi unity as a clannishness that “facilitated their conquests in the past” and enabled them to influence the present political situation (Des Forges, 1999: 73). The Hutu propagandists referred to these clannish relations interchangeably, associating them with Tutsi ethnicity, the RPF and past colonial rule. This ‘unity’ propaganda also appeared in educational, national-economic and even military matters, where it proclaimed that the Tutsi ‘infiltrators’ have conspired to monopolise profitable trade licences and sell-out military secrets to the invaders—the latter accounting for the military success of the RPF in the North. The Hutu Power movement and the government would have no justification for a concerted ethnic policy without the image of ‘Tutsi unity’ extending from colonial history and across national borders. Although I have little space to address the diversity of the anti-Tutsi propaganda, what I have documented here is that there existed a clear strategic desire and ideological need to describe the Tutsi as a unified ‘ethnicity’ inhabiting the clandestine social networks that are said to have political and ethnic goals which run against the existence of a Hutu state.

Unfortunately, there are shortfalls associated with classifying Rwanda as a retributive genocide that concerns the manner in which the other is classified. Despite the laudable effort to describe the kind of genocidal motive employed by perpetrators, the concept of “retributive genocide” employs the tenets of ‘Tutsi unity’ uncritically by suggesting that this category involves an effort “to eliminate a real or potential threat” (Chalk and Jonassohn, 1990: 29). By uncritically accepting the existence of unified and pervasive ethnic divisions within their category, the ‘retributive genocide’ performative contradicts the effort to explain and prevent genocide since it adds validity to an ideological tenet of the perpetrators which was used to facilitate the extermination of the victims. Thus, those who claim that Rwanda was a ‘retributive genocide’ effectively repeat a fundamental tenet of Hutu Power—that Tutsi unity with the RPF genuinely constituted a real or potential threat to Hutu-Rwandan society. In other words, the point in need of emphasis here is that civilian Tutsi and other Hutus that were labelled as ‘conspirators’ *were never potential or actual threats to the Rwandan state and had no universal affiliation with the invading RPF.*

Retributive genocide, as Chalk and Jonassohn and others have used this typological concept, harbours the perpetrators narrow motivational characterization of the situation. Yet, recent evidence has suggested that motivation in the Rwandan genocide, as with Nazi Germany, was highly stratified according to where the perpetrator stood in the social order of destruction, whether as common citizens or senior government officials. In other words, there is not one single identifiable motive behind the killings. As Lemarchand reports,

The killings cannot be reduced to any single motive. The circumstances that caused Hutu to become killers differed from prefecture to prefecture, sometimes from commune to commune...What remained constant throughout the killings were the sustained efforts made by prefects and burgomasters to mobilize the masses behind the killing machine...(Lemarchand, 2002b: 514).

Recent empirical evidence by Verwimp seems to confirm Lemarchand's hypothesis that personal motivations were diversified, but in a politically economic manner characteristic of certain regions in Rwanda. Amongst the peasantry, those most likely to become perpetrators in the genocide were males who resided in rural areas and made their living from non-agricultural means (renting land) and who had a female to run the household (Verwimp, 2005: 317). In socio-economic terms, it was more likely that households who made their living as employers/landlords and those quasi-landless employees had higher participation rates than did middle-sized farmer households. This indicates that two personal motivational logics were operating in regions where the government mobilized the killings: the landlords "had something to defend" in their economic wealth, whilst the poorer landless workers "*could expect to gain from participation*" by acquiring Tutsi property (2005: 319). In a greatly overpopulated nation, land was a much desired asset by those in the "rank and file" *génocidaires* (2005: 319).

Articulating the issues of security (for the propertied class) and property (for the un-propertied) relinquishes the presumption that perpetrator motivations are always attributable to ideological goals and opens the way for a critical examination of the sociology of motivation—how motives are employed and function in relation to collective action.<sup>11</sup> As I will discuss later, these vocabularies of motive have a very

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<sup>11</sup> Recent evidence from Berschel's (2001) study of the Reich Security Main Office (RSHA) indicated that "mid-level facilitators and those of Wehrmacht and other "shooters" show an inverse proportion of ideological commitment as one moves down the levels of involvement" indicating amongst the lower ranks an "increased proportion of motivational complexity" (Browder, 2003: 495). This recent evidence

important function in securing consensus for situated actions. The Hutu ideology of 'self-defence' may be seen as a motive attributable to the senior officials of the Rwandan government and other specific sectors of society, but cannot be attributed categorically to Rwandan society with any empirical certainty.

To uncover an underlying logic of motivation for genocide demands that the typological characterisations like retributive genocide must be critically qualified to specific sectors of Rwandan society. The error of such concepts derives from an assumption of a single monopoly of motivation which is preserved by concepts such as "retributive genocide". As I have shown, social motivations towards genocide are highly stratified according to one's position in the organizational structure of government and place in the economic division of labour. Whilst revealing the political economy of motivation is only one way of uncovering the motivational diversity, it is sufficient to show that such typological categories harbour fallacious presuppositions of 'Tutsi unity' or 'tribal conflict' that are performatively contradictory as they repeat the discourse of the perpetrators. Now that these contentions have been preliminarily identified in the case of Rwanda, I can detail the paradoxes of this specific genocide.

### *Paradoxes of the Hutu State*

The Hutu Power movement was a stratified national conglomerate of party politicians, military leaders, intellectuals, and civilians who sought the ethnic division of Hutu and Tutsi in political affairs. For this perspective, a cooperative relationship between ethnicities always harboured and masked the "age-old" potential of Tutsi domination that could never be fully relinquished even by democracy and political power-sharing (Des Forges, 1999: 105). This perspective surmised that there would always exist the potential for a violent return of Tutsi domination. This was why the movement gained one of its greatest ideological confirmations after the killing of Burundi President Ndadaye by Tutsi army officers in 1993. As a democratically elected President, Ndadaye was seen by many Hutu as a moderate-unifier who appointed both Hutu and Tutsi to government posts. To some fervently pro-Hutu parties in Rwanda, Ndadaye's death signified and reinforced the expectation that that no genuine peace could ever be secured between Hutu and Tutsi. The assassination was taken as a sign that what has happened in Burundi (allegedly at the hands of the RPF) could also happen in Rwanda.

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can be seen to complement an existing body of research on Nazi battalions that conducted the genocide for personal utilitarian reasons.

Only days after Ndadaye's assassination, the movement drew widespread support and urged citizens to search for the "enemy among us here" to prevent any counterinsurgency from the Tutsi dominated RPF that had invaded from the North the previous year (Des Forges, 1999: 138). Thus, the *raison d'être* of this stratified conglomerate of 'Hutu unity' was based upon the fear of Tutsi domination posed by the RPF. Whilst Rwandan President Habyarimana had hoped such an ethnic division would add to his support,<sup>12</sup> it was never certain that this would be the case. As the government sought to further radicalise the political situation along ethnic lines, many in the movement thought that any negotiations with the RPF were disingenuous to the idea of 'Hutu ethnicity'. Amid the threat posed by the RPF and the languishing Arusha negotiations, the movement began to consolidate its power from across the party spectrum, essentially reorganizing the entire party structure "around the two opposing poles of Hutu and Tutsi" (1999: 139). The movement's organizational capabilities also extended well beyond political activities and (secretly before the genocide) supported the civilian para-military organisation called the *interhamwe*. Sponsored and organized by anti-Tutsi segments within the military and by Colonel Bagosora, the Minister of Defence, the movement began to organise the bureaucratic and technical responsibilities for what became known as the "civilian" or "popular self-defense" that was to conduct the genocide (1999: 140). These efforts reflected its desire not to gain control of the state, as many scholars have assumed<sup>13</sup>, but to amalgamate the movement and state<sup>14</sup> so that they became part of a single organization dedicated to one cause—the creation of a Hutu society.

Despite all its support from the radical-right and its prominent place in Rwandan politics, the movement's core contention rested on the victim paradox—the 'threatening', yet weak and ill-constituted subject who used these traits to secretly undermine the possibility of a Hutu state. One of the central tenets of the Hutu Power movement under the banner of 'Tutsi unity' was that the internal 'threat' of domestic Tutsi conspirators—like those who assassinated President Ndadaye—posed a serious security risk that undermined the economic and political standing of the nation. These

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<sup>12</sup> In late 1993, Habyarimana "sought to assure ministerial posts for representatives of the PL Power and MDR Power wings and to get a seat in the transitional assembly for the CDR"—all radical anti-Tutsi parties (Des Forges, 1999: 141).

<sup>13</sup> Cf. Harff and Gurr (1998).

<sup>14</sup> This amalgamation between party and state or movement and state is characteristic of most totalitarian governments. Cf. Arendt (1968: 419).

“accomplices” were considered by many in the movement to be aligned with the RPF and would take military action to undermine the predominately Hutu government. It was this powerless disposition which, they claimed, masked the ‘fact’ that Tutsi would seek to dominate Rwanda and other states along racial lines. The paradox was that the Tutsi’s de facto powerlessness gave rise to this ideology which depicted Tutsi as the Other with a powerful advantage since it allowed them to secretly organise and strike at the society when it would be most successful at securing Tutsi rule. I will later explore the methods which were alleged to bring back Tutsi domination. However, it is important to clarify that in positing such a secret unity amongst ethnic Tutsi and the RPF, the movement’s entire ideological contention rested upon the portrayal of this paradoxical notion of ‘Tutsi unity’ and actively sought to interpret any anti-government action within this ‘ethnic’ paradigm. This paradox helped to inform not only Hutu ideology to acquire a firm public foothold, but also influenced the shape of tactics that would enable the genocide along these ideological lines.

To prompt another RPF invasion and to convince the international community that the troubles were ethnic in nature, organised killings of Tutsi civilians by segments of the military was seen as a key strategy that could form the pretext to the genocide. The expected reaction from the RPF would signify a ‘unity’ between a genuinely threatening military force and a secretly ill-constituted ethnicity poised to unite with them, thus legitimating the prophecy of ‘Tutsi unity’ and the threat of the RPF. On December 3, 1993, senior officers from the Rwandan Armed Forces wrote to General Dallaire, commander of UN troops, informing him of this strategy (1999: 145). The notion of the domestic ‘Tutsi accomplice’ provided the vision which guided these kinds of tactics that were influential in disguising the genocide under the cloak of war by making the genocide appear like a ‘legitimate’ military action in a country divided by an ‘ethnic’ civil war. In a chilling forecast of the genocide on April 4, 1994, Bagosora told people that “the only possible solution for Rwanda would be the elimination of the Tutsi” and that “if the RPF attacked successfully, the Rwandan forces had plans for guerrilla warfare against them” (1999: 172). Reminiscent of Nazi and Stalinist ‘prophecies’ about expected enemy provocations, Bagosora’s statements reflected a concerted governmental strategy to create their own ‘legitimate’ grounds for genocide as ‘self-defence’. When the President’s plane was shot down on April 6, 1994, Bagosora and other senior officials, in favour of ‘elimination’, used the event as

an excuse to legitimate their policy of systematic killings in a declared state of emergency imposed immediately following the assassination. Even though the assassination of the two Presidents has never been properly investigated or solved it was assumed by many that the RPF was behind the attack. As I will examine in detail later, this constant effort to relate all anti-government action against the 'Tutsi conspirator' contributed to a general strategy the propagandists called "accusation in a mirror", meaning that the perpetrators "should impute to enemies exactly what they and their own party are planning to do" (1999: 66). With a strategy that sought to manipulate the expectations of their mass audience, the movement created the groundwork to legitimate the organisational measures of 'self-defense' which used the powerlessness condition of 'the Tutsi' to depict them as enemy infiltrators in unity with the invading RPF.

The second paradox of the genocide derived from the efforts to eliminate a nonexistent domestic enemy whilst the genuine threat to the Rwandan state derived from the invading RPF. Whilst the RPF invaded, the Rwandan military fought, in its own view, a divided conflict. On the one hand, its forces were conducting and supporting mass killings of Tutsi across the country and targeting specific influential authorities that were opposed to the internal 'self-defence' operation. These included leaders of the various parties who rejected Hutu Power, members of the judiciary, human rights activists, clergy, journalists and other leaders of civic society. Ordered by Bagosora, and aided by detailed information of names, addresses and by the general broadcasts on national radio, elite battalions and recruited civilians sought out these individuals throughout the country with lists in hand. The military, national police and militia all manned barriers and undertook patrols to restrict the movement of fleeing Tutsi. Once tactics of internal security, these barriers and patrols were used to restrict free movement for the purposes of conducting genocide, which made it easier to organise the Tutsi population and apprehending those they sought. Under these conditions, every aspect of civilian life was scrutinized: regular patrols searched homes and had contacts with informers "who had noticed suspicious indications, such as unfamiliar clothes hung out to dry in a backyard or unusual kinds or quantities of food being purchased" (1999: 214). This network demanded considerable effort from military and paramilitary forces that directed much of the killing. Documents from the Minister of the Interior, obtained by Des Forges, indicate that the demands of the

genocide were not being met by the military concerning particular areas as reinforcements were needed (1999: 219-220). This indicates the efforts of the military and police in aiding the killings were placing great demands upon the war effort in the East of the country. It also signified that these operations were centrally organised by the new interim government under the command of Bagosora. Whilst the government forces and militia were conducting domestic genocide, the army was also contending with an invading army from the North.

On the other genuine end of the conflict, the Rwandan government faced a well-trained and experienced Rwandan Patriotic Army that made great advances in the end of April 1994, taking Byumba in the northeast on the 21<sup>st</sup>, Rwamagana on the 27<sup>th</sup> and Rusumo on the 29<sup>th</sup>. Paradoxically, it was following these great losses that authorities ordered a new large-scale wave of killings against Tutsi at Bisesero and other sites. More tragically, those who were spared during the early days of the genocide, such as women and children, were now targeted in mid-May. Yet, the RPA faced poorly organised resistance, except around Kigali, and routed government forces by July 1994. This invasion ended the genocide and in some cases prevented and interrupted killings<sup>15</sup> as they advanced south down the eastern side of the country and then swept westward. These dramatic advances by the RPF in securing the entire country and the organisational effort of the genocide were not coincidental factors that determined the course of the war and the survival of the Rwandan state. In fact, it was the conduct of the genocide, undertaken by the government, which posed the greatest risk to the survival of the state since its conduct instigated a war where its forces were divided between organising domestic mass killings and confronting an invading army.

Pursuing genocide at the expense of the security of the state proved to be a fatal paradox which revealed that the priorities of the government were interwoven with its ideological commitment to the doctrines of Hutu Power. Rather than achieving what was necessary in order to secure the standing of the state by confronting their actual threats, the government, taking advantage of the impending security situation, pursued a genocidal policy that sought to fulfil what they thought was ideologically correct—that the ‘Tutsi’ were *actually* united against the Rwandan-Hutu state. Although Lemarchand correctly reports that the genocide “came about as a planned, organized

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<sup>15</sup> The war that ended the genocide saved tens of thousands from certain death, yet the RPF itself was also accused of killing civilians and other violations of human rights.

and coordinated response of Hutu extremists to the very real threats posed to the Hutu state by the RPF”, this should be qualified with the vital proviso that the genocide was a perverse and paradoxically fatal reaction that undermined the military reaction to the genuine threat posed by the Rwandan Patriotic Army (Lemarchand, 2002a: 309). In summary, my argument is that the genocide had a direct and fatal effect upon the war effort which paradoxically secured the fate of the interim government.

### *Ukraine, 1930-1933*

Largely beginning in late 1929 and becoming acute in 1933, at least 10-15 million people (mostly rural peasants and other ‘recalcitrant’ individuals) perished by starvation, disease or execution in rural regions and in the vast gulag archipelago—5 million in the Ukraine alone, or as much as 25% of the rural population (Gouldner, 1980: 229; Conquest, 1986: 249). In a country of “2.5 million industrial workers, 1.5 million soldiers, 1 million bureaucrats...and 100 million peasants”, attempts to reorganize Soviet society following the revolution against the Whites, which as Trotsky noted, forced the Reds to “plunder all Russia” to ensure (and quite literally feed) its survival, meant that the new government fought for its existence “in a countryside ever more denude of sympathy for it” (Gouldner, 1980: 215). As a consequence of the civil war, “the Soviet regime rapidly lost most of the good-will it enjoyed among the peasant masses” due to the ravages of the war itself and the “inexorable necessities of food procurement” (1980: 215).

The divide between the rural population and the party leadership was also intensified by the composition of the party structure. This cleavage between the party leadership, composed of mostly highly educated revolutionary intellectuals from urban origins, and the peasant rural majority, was viewed by the urban elites as something akin to a colonial situation. This “internal colonialism”, as Gouldner suggests, witnessed the mobilisation of the resources of state authority “against colonial tributaries in rural territories” and imposed unfavourable and unequal demands upon this sector of society in terms of capital allocations, price controls, taxes, access by visitors, military conscription, and access to education (1980: 216). These conditions were so unpopular that three successive Soviet governments were installed in the Ukraine between 1918-20, “each of them arriving in the wake of a Red Army invasion” (Conquest, 1986: 42). The first two governments were expelled by rival

forces only after they had shown a total incapacity to gain local support. Significant Ukrainian resistance to Soviet authority was a sign to Lenin that “without serious, or serious-looking concessions to Ukrainian national feeling, their rule would remain rootless and precarious”, particularly in the countryside where such sentiments were strongest (1986: 42).

Much of this unpopular sentiment arose not long after the revolution. On 11 February 1919, Lenin began the forced requisition of grain surpluses in the Ukraine as a way to transfer the burden of even more excessive requisitions from Russian peasantry. Yet, it soon became apparent that such actions were counterproductive as they created mass revolts<sup>16</sup> in areas where national sentiment was strongest. The failure of this policy was evaluated and attributed to a disregard of Ukrainian nationalism and language, and it was recognised that any intervention “which ignored this too ostentatiously was doomed to be considered by the population as a mere imposition” of Russian domination (1986: 39). However, following Stalin’s ascent to power, the course of this policy to communicate to regional sentiments would be fundamentally reversed. Lenin’s vision of an abandonment of national divisions and a merger of socialist regions—in line with Marx’s idea of the “dissolution of all classes, nationalities...within present society”—took on a radically new form under Stalin (Marx and Engels quoted in Conquest, 1986: 31).

Throughout its history, the party sought to paradoxically achieve ‘classlessness’ in rural areas by encouraging class conflict. They attempted to align the rural peasantry with revolutionary ideals by encouraging class warfare against the old capitalist hierarchies in the countryside by attempting to mobilize rural poor and middle peasants against the property owners known as the Kulaks.<sup>17</sup> When this failed, attempts were made to ally these segments of rural society under the hegemony of the proletariat and thus, under Lenin, “enlarge the peasantry’s importance in the theory and practice of Bolshevism” (Gouldner, 1980: 216). Under Stalin, however, this policy was reversed to the extent that it treated and systematically transformed “the whole peasantry into a

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<sup>16</sup> Conquest reports that “the result was 93 Ukrainian revolts in April 1919, and 29 in the first half of May...In all some 300 seem to have occurred in the short period from April-July” (Conquest, 1986: 38).

<sup>17</sup> The local rural “Committees of Unwealthy Peasants” in the Ukraine created by the Soviets to recruit domestic support, described the Kulak as follows: “in the Ukrainian villages power really resides in the hands of the wealthy peasants, the kulaks, who by their very nature are implacable foes of the proletarian revolution’ and who were ‘organized and armed to the teeth” (Committee quoted in Conquest, 1986: 40).

legally and factually discriminated class, the lowest in the social order” (Moishe Lewin quoted in Gouldner, 1980: 217). When forced agricultural collectivisation began in 1929, it also coincided with Stalin’s declaration on 27 December 1929 that their aim of “the liquidation of the kulaks as a class” would be a necessary element in creating this new ‘agricultural’ system that would fuel the great industrial expansion (Stalin quoted in Conquest, 1986: 117). As I shall now show, the Kulak, as represented by their backwardness and ill-constituted agricultural production, formed the *point de capiton* which inspired the drive to ‘modernise’ rural society.

### *Kulak as ‘villain’*

The imposition of the new universality of class consciousness in the Soviet agricultural system meant the positing of class divisions in a segment of society where there was little stratification. This daunting and recalcitrant mythical figure of the Kulak was a clear fabrication and “was essential to the Party’s view of the villages” as it signified subjects who richly profited from small forms of privatisation who actively subverted the attempts to collectivise the agricultural system through destroying or hiding grain and other acts of revolt or sabotage (1986: 74). The term was first deployed by Lenin, as a strategy to ‘proletarianise’ the countryside by characterising an alleged rural ‘class’ of peasants that was assumed to be the source of discontent expressed towards the urban-dominated Party. Early on attempts were made to clarify or correct this semantic distortion by Lenin. The Commissar for Agriculture, A. P. Smirnov, pointed out “that the kulak was...a pre-revolutionary exploiting type which had now virtually disappeared” (1986: 74). Nevertheless, it was determined in the official *Statistical Handbook USSR 1928* that 5.2% of the rural population could be characterised by this term. A year later the Council of the People’s Commissars produced a formal definition of the kulak farm:

it required hired labour; or had a mill or...similar establishment; or hired out agricultural machinery or premises; or had members engaged in commercial activities or...other income not from work –specifically including the priesthood (1986: 100).

Under these definitions “almost any peasant could have been penalized” by this classification and hence became a target for repression and elimination (1986: 100). These nationally determined rules were “activated by the most eager Stalinist at the provincial level” who could also modify these definitions to suit local conditions

(1986: 101). This gave local authorities the ability to act within the general principles of Stalin's orders to "liquidate" the kulak class. The facts of the situation, however, proved to be quite different to a 'class' situation described by the party. This 'class character' of the countryside, where the 'rich kulak' exploiter made a profitable living from hired labour simply did not exist. As Conquest reports, "the most prosperous peasants in 1927 had two or three cows and up to ten hectares of sowing area, for an average family of seven people", and "the richest peasant group received only 50-56% greater income per capita than the lowest" (1986: 75).<sup>18</sup> A key point to be gleaned here is that those earning this modestly higher income comprised 3-5% of peasant-'Kulak' households and was responsible for around 20% of the total grain production. This means that the party sought to liquidate the most productive segment of Ukrainian agriculture. The elimination of the 'Kulak', the mythical figure that obstructed the efforts of the new Soviet system by his selfish desire to maintain wealth through the old ill-constituted class system, principally entertained a view of the Ukrainian peasantry as being backward—that is, feudally stratified. The kulak was, far from being a wealthy class-based profiteer, the *point de capiton* invented by the Soviet state, which had universal applicability to any rural farmer who was part of the homogeneous system of traditional agriculture. Unfortunately, these facts about the rural economy did not signify to the Party that the problem with grain production was with their policy of 'collectivisation', but rather with recalcitrant groups of 'kulaks' that were subverting the state's efforts for their own personal aggrandisement. Thus, the first mass effort to 'dekulakize' the countryside in 1929 directly impacted agricultural production as this cohort or 'class' had significantly contributed to the economic production of the time and thus held the greatest potential of increasing the overall agricultural productive capacity to meet the demands of the state.

#### *Genocide and the Prophecy of the Kulak*

The methods of kulak liquidation were brutal and economically anti-utilitarian in nature. The figures from various districts reveal that the majority of those deemed a 'kulak' were "shot, imprisoned or deported" even in the early stages of the campaign. When the programme expanded to include entire households and their property, government, the militia and "Party activists were [issued arms and] mobilized to assist

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<sup>18</sup> In the Ukraine, the situation was even less stratified where "these wealthy exploiters had therefore averaged 1.4 horses, 1.8 cows, and 1.2 sheep per household!" (Conquest, 1986: 123).

in the actual deportations” (1986: 122). In the second wave, conducted in 1931, more secret police measures were employed where government police agents, disguised as tax investigators, were sent out to gather information on these ‘wealthy’ peasants. As a result many began to sell their property or try and flee with their cattle to other regions, but to little effect. For farmers, the most common method of resistance was self-destructive: either peasants destroyed their property or themselves. All such self-destructive action, however, strictly functioned to confirm that the self-interested ‘kulak’ did in fact exist, although in some clandestine form, which was merely ‘revealed’ by this form of government intervention. As one farmer in the Ukrainian village of Pidhorodne said in 1931 “We worked all our lives for our house, you won’t have it. The flames will have it!” (1986: 124). As some ‘kulaks’ began to flee these conditions they tried to join the growing urban labour force that resulted from Stalin’s crash industrialization policy. The government attempted to stop this exodus by common police measures and later by the introduction of internal passports in 1932 to “purge kulaks, criminals, and other anti-social elements from the cities” (1986: 124). The clear message of these measures was that the kulak was expected to passively remain and await their fates in their villages, as a subject who receives directives, but who is never supposed to initiate them.

In the Ukraine, for example, the inability to meet the grain requirements in 1931-2 meant that there was a failure, not in the new Soviet system of agriculture or its faulty “biological yield” measurement that exaggerated expected production over 40%, but in the Ukrainian Communist’s ability to solve the ‘problem’ with the kulak and other recalcitrant farmers who failed to supply the necessary produce to the Soviet state (1986: 186). As all grain and cattle became state property under the collectivised system, anyone who interfered with its production was to be considered ‘enemies of the people.’ The decree of 7 August 1932, the “revolutionary legality” as Stalin called it, clearly states the formal sanctions applied to anyone of this category; most were shot unless there were extenuating circumstances (1986: 225). In January 1932 Stalin had ordered the delivery target to be set at 7.7 million tons but was reduced to 6.6 million tons of grain (out of a total of 14.7 million tons), a level which the Ukrainian leadership knew was unrealistic (1986: 222). When only 71.8% of the grain was delivered, after all the Party’s terror procurement methods that robbed the peasants of their food reserves, Stalin and the All-Union Central Committee charged the Ukrainian

Party with a “lack of class vigilance” against the peasant and proceeded to further ‘Bolshevisé’ the local party.

As the famine spread in the Ukraine in early 1933, the policy of fighting the class enemy was further extended in the existing collectivised farms and was accompanied by another grain procurement from rural areas. The agents of the State and Party, who received good rations and were unaffected by the famine, went from house to house searching for hidden grain. The lower rank and file ‘thug’ brigades often beat peasants and searched their premises with steel rods to search for buried grain. All tools used by local peasants to mill grain locally were confiscated from people who were clearly starving. In some areas watchtowers were erected in the fields and manned by armed guards to prevent theft of state produce.

The confrontation with the reality of the famine conditions meant that those who represented this perspective were also targeted. Party officials who failed to “fulfil the plan” were either accused as being the “real thieves” or removed from their posts and replaced by more ‘reliable’ men (1986: 229). Even the entire staff of the Meteorological Office was arrested on a charge of falsifying weather forecasts in order to damage the harvest. In five months of 1932, 25-30% of the agricultural middle management was arrested. All failures to meet the quota, including failures in adequate storage of crops and failure to harvest, which also resulted from incapacities of the agricultural system itself, were attributed in official reports to acts of ‘sabotage’. So poorly organised was this requisition effort that the seized crops often rotted in the poor storage facilities under armed guards. Such events did, on occasion, cause local revolt, but only before the famine spread in early 1933. Those responsible for supporting these obstructive actions were arrested, then usually deported or shot (1986: 225-36). When the failure to fulfil the expected crop procurement was confronted, the government purged local officials and elements of the party, while extending the forced requisition against the rural peasants.

This economically self-destructive genocidal policy directed at the peasantry sought to fundamentally reorganize Soviet society according to new principles of socialized production. With the enemy category openly defined by local officials, and soon to be eliminated, the way to forced collectivisation could begin through a condition which engendered a totalitarian passive subjectivity. The ideal subject of Stalinist agriculture, and of the entire state, was the self-sacrificing defendant in the

show trials—one who would renounce any notion of subjective self-interest in service of the state. From the Party's perspective, this policy would mean that the requisitioning of agricultural produce, so vital for industrial growth, would no longer be mediated by the rich 'kulak' or recalcitrant rural peasants imbued with Ukrainian national sentiment and selfish capitalist desires. More importantly, it was expected that this new "intensive Soviet agriculture would produce more effectively than the old, and thus yield a bigger surplus" due to the reorganisation of labour around the mechanising of agricultural production (Gouldner, 1980: 221). As Stalin claimed, "the simple pooling of the peasant implements of production has produced results of which our practical workers never dreamed" (Stalin quoted in Conquest, 1986: 179). Yet, the new Soviet system was much less efficient than the one it sought to replace, since it took no consideration of local planning initiatives and reorganized farms according to collectivised ideals rather than effective productive values. Efficient farming communities formed by religious groups, for example, "were rebuffed and reorganized on Soviet lines, the more religiously active members being excluded and usually deported" (1986: 173). The efforts to develop a new "primitive socialist accumulation" resembled more of a system of "internal colonialism" that in a matter of three years destroyed all agricultural surpluses in various rural regions, particularly in the Ukraine.

The efforts to eliminate the 'kulak' coincided with greater requirements for grain procurement from the peasantry. The basic principle was that regardless of any agricultural or economic conditions, "a certain amount of grain must be delivered to the state" and it was expected that these demands must be satisfied before the needs of the peasantry could be considered (1986: 174). Conquest reports that:

According to official data, the government's grain procurement rose from 10.8 million in 1928-29 to 16.1 in 1929-30, to...22.8...in 1931-32. [In] three years after the start of mass collectivization, the government had more than doubled the amount of grain it took from the countryside (1986: 174).

The procurement policy itself was economically counterproductive as it meant that little was left for the peasant to pay for expenses and loans, as well as their well-being. All these requirements that were structured into traditional agricultural production meant that peasants were forced to deal with these new burdens and embrace collectivisation. The state's use of genocide through killing, deportation and starvation which eliminated the most productive farmers meant that the region would be much less productive. The system of collective farming was therefore formed under these

*forced* conditions, all of which signified that the peasant was subordinated to a new “revolution carried out *from above*” (Stalin quoted in Conquest, 1986: 144). As a consequence, millions of rural peasants, blocked from any access to the outside world and with no means to attain food, starved to death under this policy or were deported to gulags where “estimates are that a quarter to a third of the deportees perished” (1986: 142).

### *Paradoxes of Stalin’s Forced Collectivisation*

The logic of the perpetrator’s paradox in this case operates within the domain of economic production and Stalin’s reasoning about the peasant ‘class’. The Party’s professed doctrine that collectivisation would bring greater productivity through reorganisation and a concentration of resources, was directly contradicted by efforts to force collectivisation. The genocide was devised as a method to increase production through forcing farmers to accept ‘modern’ reorganisation, whilst eliminating those ‘class enemies’ who were obstructing production. The failure to acknowledge that ‘socialist agriculture’ and the policy of genocide contradicted their intentions for greater agricultural productivity is an indication that other motivations are determining the conduct of genocide. These concerned the contention with other patterns of agricultural production and their adherents.

The victim paradox also reveals what other motives underpin genocide. The employment of genocidal methods in these rural areas of the Ukraine was self-referentially based on the government’s *point de capiton*: the image of the suspicious and recalcitrant peasant who would never comply with the demands of the new Soviet system of agriculture due to self-interested individuals who were backwardly adhering to an ill-constituted form of production. Since the government assumed that direct control of agricultural production through collectivised farms would prevent the ‘rich’ kulak from feeding their selfish desires at the expense of the state and the demands of the new and expanding industrial sector, a policy of genocide directed at certain regions could (be assumed to) yield the required resources if it eliminated these contaminating elements. The paradox was that the kulak inherently (that is ‘Historically’) adhered to ‘primitive’ production methods that constituted the weakness which threatened the successful movement of modernisation represented by socialist agriculture. The effects of the genocide, as I have documented, were, within the

regime's own visions of expected economic production, disastrous and paradoxical since it eliminated the most capable and productive farmers. As the elimination of the kulak was a governmental initiative that could be defined by state and local officials, this meant that this enemy category could be attributed to any 'successful' peasant who was, generally, the most efficient farmer and produced 20% of the region's total agricultural output. Thus, the key paradoxical consequence of this policy of kulak "liquidation" was that those skilled at organizing production were eliminated from all agricultural enterprise. This was *the* antecedent of a collectivised policy that resettled acquiescent and poorly skilled farmers onto large estates which could not be managed effectively to meet the irrational and poorly calculated demands of the Soviet state.

The greatest contradiction within Stalin's efforts to eliminate the kulak and reorganise agricultural production was that it treated rural agricultural populations as a *sub-class* of industrial production. Far from being a serious threat to a 'classless society', the rural farmers' resentment grew from the restraints imposed by their position in the new Soviet hierarchy. In Gouldner's words, this population was 'internally-colonised' for a new-revolutionised system of production by a state that sought the elimination of all classes like that represented by the mythical image of the kulak. In the words of an 'activist' who performed these atrocities:

I heard the children...choking, coughing with screams. And I saw the looks of the men: frightened, pleading, hateful, dully impassive...It was excruciating to see and hear all this. And even worse to take part in it...And I persuaded myself, explained to myself. I mustn't give in to debilitating pity. *We are realizing historical necessity. We are performing our revolutionary duty.* We were obtaining grain for the socialist fatherland (Conquest, 1986: 232-3; emphasis added).

These words of an activist signify that the reasoning underlying the "historical necessity", represented by such an antithesis with the kulak, was incapable of recognizing and changing its paradoxical agricultural policy even while it was forcefully starving and deporting millions of its most productive parts of the rural workforce. From the perspective of common sense, the state's inability or refusal to recognise its own paradoxical failures reveals that there are other motivations at work outside the logic of utilitarianism that better relate the words of the government with the deeds of its genocidal policies.

### *Genocide and Common Sense*

The two paradoxes apparent in the cases of the Ukraine and Rwanda demonstrate that the government's policy of elimination contradicts fundamental principles of traditional governance. Arendt once remarked that anti-Semitism was an "outrage to common sense" because it falsely imbued the Jewish communities of Europe with a power they did not possess (Arendt, 1968: 5). Likewise, organising the systematic destruction of a people also betrays common sense, since the central values of the state are undermined by the struggle against those who are powerless and non-threatening. The effort to treat the other as the *point de capiton*, unifying the diversity of the other into a single subject which is to be destroyed because of their 'powerful-weakness', defies the premise that serious threats demand powerful responses, a principle of proportionality fundamental to the notion of common sense. Secondly, the perpetrators paradox also precludes the self-critical reflex common to judgement-based responses, which suggests that the failure of an intervention may be due to our own responses to a perceived crisis. Both paradoxes violate central features of common sense that have been integral components of governance: the principle of proportionality and the relationship between cause and effect.

A government operating within this perspective of common sense would suggest that policies be effectual and target their *actual* opponents that threaten the general welfare or standing of the state. The existence of the victim paradox betrays the essence of common sense because it violates the congruence between strategic policy measures and the seriousness of the 'problem'. The assumption that extreme violence always arises out of great power where the attack against the other can only be a reaction to this power is violated. This deviation from proportionality becomes revealed by exposing the victim paradox present in cases of genocide.

Yet, the outrage to common sense does not end with this paradox alone. The cases of Rwanda and the Ukraine suggest that genocide contravenes another dimension of common sense in relation to governance. Specifically, the methods of terror and atrocity that constitute genocide were shown to contradict the professed desires of government, which was dependant upon developing effective interventions to face the real causes of societal problems. For Stalin, the genocide in the rural Ukraine, seen as a response to the victim paradox, created a production crisis in agriculture that directly undermined the intention to supply the demands of the expanding industrial sector and

seriously damaged future agricultural production. In Rwanda the perpetrator's paradox proved to contribute to the state's demise by neglecting the actual cause of their insecurity. The government's domestic genocide directly undermined the efforts to combat the invading RPF, which defeated the interim government, bringing to an end the genocide and the vision and reality of a Hutu nation-state. By performing such paradoxes, governments abandon the principle of common sense and thus jeopardise the basis of their own policies and the standing of government itself through developing and attacking a paradoxical notion of the other who does not threaten the state.

These paradoxes reveal that authorities who commit genocide are in direct contention with the precepts of common sense as they apply to coherent government policy. The question that now is to be considered must focus upon what forces promote the decision to forgo a government's basis in common sense. This means addressing two questions raised by the discovery of these paradoxes: why is power (in economic and military terms) sacrificed for a policy of genocide? And what interests and patterns of coherent thinking are served by the targeting of groups that are weak and ill-constituted? These questions lead to the larger issue of the kind of governmental thinking that informs the coherent self-image of rule necessary for the policy of genocide. This means that the paradoxes reveal that the governments desire something beyond their own power and self-preservation, which is substantiated by *a pattern of reasoning which influences their decisions that does not sanctify the power of rule as the primary principle of the state*. With common sense no longer occupying a central position of state decision-making, the question arises as to what kinds of concerns form the basis of government rule. To make better sense of this hypothesis it is necessary to examine the empirical evidence that associates genocide with other observable factors.

## **II. Empirical Regularities of Genocide**

In two separate pioneering works of empirical sociology, R J Rummel (1994), and Harff and Gurr (1998) have measured and documented specific empirical variables that highlight the relationships between different social and political practices correlated with the occurrence of genocide. These authors have sought to reveal not only empirical regularities, but also the scope of government killings (including genocide)

during the 20<sup>th</sup> Century. Their results, summarised below, will serve to inform the following discussion:

1. The total number of victims killed in genocides within states (120 million) during the past century exceeds the amount killed in war (35 million) (Rummel, 1994).
2. There have been 48 documented episodes of genocide and politicide from 1945-1995 directly involving state authority (Harff and Gurr, 1998: 157).
3. The estimated number of people killed by their own governments (defined by Rummel as “democide”) approached 170 million (Rummel, 1994 and 1995).
4. Totalitarian governance (motivated by an elite-directed ideological outlook) is strongly correlated with the numbers of people killed in incidents of genocide and domestic state killings (Rummel, 1995: 15, 17; Harff, 2003: 62).
5. There is evidence to suggest that genocide is not directly associated with other forms of domestic killing (torture, massacre, assassination, etc.) by state authorities (Rummel, 1995: 11).
6. Warfare and Rebellion correlate with forms of domestic killing by governments, but neither variables correlate with genocide. This indicates that “regimes generally plan and implement their genocidal policies independent of the characteristic occurrence and intensity of their wars” (Rummel, 1995: 20).
7. Larger states (measured by a regime’s population) have higher rates of foreign democide (deaths by governments). Rummel suggests this may indicate that since “powerful nations have the capacity...to make war” they use this opportunity to do so (Rummel, 1995: 21).
8. The violent history of a state, as expressed in the abuse of opponents or minority groups, features prominently in the genesis of future genocides/politicides (Harff and Gurr, 1998: 159).

The first three points reflect the scope of genocide, whilst the others highlight significant regularities between patterns of government killing and genocide. Despite the clarity of these empirical correlations, a closer examination of these relationships reveals some questionable presuppositions about the theories which employ these findings. Nevertheless, in this section I suggest that these empirical correlations pose important questions for further study.

The work of Harff and Gurr examines variables relating to genocide which are associated with trends of social and political practice, rather than general notions of government. They ask, for example, “what is it about the state, and the victims, that makes some kinds of groups targets of the most severe kinds of repression and violence?” (Harff and Gurr, 1998: 147). Contrary to other scholars, such as Dadrian (1974) and Arendt (1968) who argue that victims of genocide can become greater targets of genocidal policy by their own action or inaction, Harff and Gurr suggest that

genocide occurs irrespective of what the victims as a group do prior to atrocities. They claim that “genocides and politicides are not primarily consequences of the victims’ behaviour ... [but] are first and foremost consequences of the policies of states and their political leaders” (1998: 159). They suggest that one reason may be due simply to the “state’s *capacity* for committing such crimes”, a point which is also raised by Rummel’s findings—that if states possess the advantage and capacity to wage war they are more likely to enact this capacity (point 7 above) (1998: 159; emphasis added). Yet, Harff and Gurr also present evidence contrary to this point by saying that “the generic state has no inherent qualities which over time induce it to engage in genocides or politicides” (1998: 159). Their point is simply that the content of the state’s policies and their circumstances, rather than the structure of states, are the essential determining factors involved in committing genocide.

In Harff and Gurr’s view, the state’s potential to commit genocide lies not in any inherent capacity of state authority as such, but in the power and desire of their elites to carry out a policy of genocide. This point is made so as not to critique state practice itself in relation to genocide. Thus, they emphasise that the state, as a form of authority, holds the greatest potential for both *committing* and *preventing* future genocides. The conservative acceptance of the state as the primary political organisation enables them to preclude an examination of any inherent traits of sovereign authority that may be associated with genocide. In their divergence with these kinds of structural theories, Harff and Gurr emphasize that the focus of genocide research should really be placed upon the content of the state’s membership and those who influence it. This means that one should examine the groups and forces that influence the state as it possesses a monopoly on the means of violence. They suggest that

elites can respond to a variety of imperatives. In democratic theory the ideal state is a manager of conflicting interests, striving to serve all its citizens in an impartial role. At worst, state power is held by a rapacious elite which engages in predatory behavior and widespread killings of all who might oppose it (Harff and Gurr, 1998: 159).

In this view, the nation state is understood along Weberian lines, as a sovereign possessing the means of violence where, at best, “the ideal state is a manager of conflicting interests” (Harff and Gurr, 1998: 159). The violent history of a state (Point 8), as indicated by outbreaks of genocide and politicide, suggests by definition that the state has failed as a power-broker between competing interests. They argue that

genocide occurs because one group dominates the means of violence and imposes a hegemonic or xenophobic order that mostly benefits the ruling elite and their supporters. Under these conditions, elites “become habituated to mass killings as a strategic response to challenges of security” and as method of ending disputes where the demands of other groups may limit the power of the state (Harff, 2003: 62). This perspective suggests that when governments act as a power enforcer on behalf of elites, rather than as a power broker, such states have a higher incidence of violence as they ideologically impose an unfavourable order upon those groups seeking state recognition. This situation, therefore, fosters a view of the state relative to winning communal disputes through the colonisation of the means of violence and the control of government apparatus.

In Harff and Gurr’s position it is the role of the state to demonstrate that it is in every group’s interest that the state should act as a ‘power broker’, which should impartially manage, yet also represent the interests of the entire society. Their approach thus pivots on the practical ability to build a liberal-democratic state, which is accepting of cultural differences and which is less likely to commit acts of politicide or genocide. Their approach, however, fails to question the structure of states *per se*, in that there may be inherent organisational defects of why *states as organisations* commit genocide. This may also entail that sovereign authority itself might be a *source of conflict* as it creates an asymmetrical position of authority which is sought by rival groups. Their position thus advocates a specific liberal vision of the state which, according to their research, reduces the risks that minority populations become subject to repression and genocide. Even though, as Leo Kuper suggested, there is evidence to show that state sovereignty (explicitly guarded by the UN Charter) is used by states to prevent intervention in cases of genocide, Harff and Gurr argue that avoiding genocide depends upon ensuring the state’s actions and specific influences in promoting the state’s role as ‘interest manager’, thereby acting independently according to the standards of human rights (Kuper, 1985). In sum, Harff and Gurr’s approach sheds light on the “*circumstances* in which the powers of the modern state are deliberately used to suppress or systematically eliminate members of distinct...groups”, rather than any inherent structures of states themselves (1995: 147; emphasis added). The forces that drive a policy of genocide are thus to be found in the conduct of elite groups that monopolise the state.

### *Elites and Genocide*

Harff and Gurr recognise that states are primarily responsible for conducting genocide, yet they suggest the factors that lead to such actions derive largely from their elites. Under this view,

*geno/politicide is defined as the promotion, execution and/or implied consent of sustained policies by governing elites or their agents—or in the case of civil war either of the contending authorities—that result in the deaths of a substantial portion of a communal, political, or politicized communal group (1998: 148).*

Paralleling a presumption underlying the United Nations definition of genocide, Harff and Gurr suggest that the possibility of genocide occurs where the “victimized groups are defined primarily in terms of their communal characteristics” (1998: 148). Politicide, on the other hand, exists where groups are defined by their political opposition to “the regime and dominant groups” (1998: 148). They further distinguish between two types of genocide: hegemonic and xenophobic. In the former category

*...the primary motive of the ruling group is to subordinate a communal group by killing enough of its members that the survivors have no will or capacity to resist, whereas in the latter, elite ideology calls for the elimination of the ‘offending’ communal group (1998: 36).*

They note that in xenophobic cases the state itself does not enact a “deliberate sustained policy of extermination dictated and organized by ruling groups,” rather government authorities ‘outsource’ these desires by encouraging genocidal actions initiated by another group’s “private animosities” (1998: 150). This category reveals the influence of state authorities in tacitly supporting, by material or logistical means, the action of paramilitary groups that serve both regional and national interests. The recent case of the Sudan is illustrative of this point, where militias supported by the state have been conducting genocide in the region of Darfur. In this case, as with others like the rural-indigenous peoples of Paraguay, Northern Nigeria and the Muslims in Burma, their theory concerns threatened minority groups.

A limitation of this concept of xenophobic genocide is that it excludes cases of genocide where the state has organised a policy of destruction based on xenophobic principles that are distinct from ‘private animosities’. Instead, xenophobia (the fear of the foreign other) can also be a viable motivating principle that is involved in cases where the state is directly complicit. The case of Rwanda demonstrates this point exactly. The general fear of the ‘outside enemy other’, in the form of the Tutsi-

dominated Rwandan Patriotic Front (RPF) that directly threatened the state, served as a significant strategy that enabled the Hutu Power movement to create the image of 'Tutsi unity'—a principle factor that made the genocide believable to the thousands of perpetrators (Lemarchand, 2002b; Hintjens, 2001).

The concept of hegemonic genocide, on the other hand, is the weakest hypothesis of their theory as it applies to the cases of Rwanda and the Ukraine. The concept of hegemonic genocide presupposes that the policies of genocide and mass atrocity have a 'positive' influence upon the standing of a state and supporting the power of the ruling elite; that genocide in a utilitarian way 'resolves', however horrifically, the questions surrounding the problems and demands of minority groups. This is most apparent when they depict the image of the typical victim of genocide. In their view, victims are most often "minorities whose cultures are sharply distinct from the dominant group," whereas victims of politicides "have long-standing aspirations of independent nationhood or are members of groups actively opposing existing regimes" (1998: 151). Destroying the other would thus serve to culturally unify the nation and limit the actual threat that the state would be divided by rival cultures or even minority claims of nationhood. Yet, in the cases of Rwanda and the Ukraine, I showed that the policy of genocide contradicted these basic self-interested desires and undermined the basic ideals of traditional government—that their policies are useful and should preserve the government which crafted them. The limitation of their theory is that hegemony is presumed to be an end in itself, rather than a means to a greater ideological end that transcends the concerns of a single nation. The failure to understand this point means that the links with other paradigms of thought that enable genocide remain unexplored, since there is no acknowledgement that the limits of traditional government have been put in question or even transcended by the existence of practices which contradict the foundations of government.

The contribution of Harff and Gurr to the understanding of genocide derives from their empirical analysis of the immanent factors within genocidal states. A common characteristic highlighted by their research suggested that one prominent feature in the genesis of genocidal violence is the "violent history of a state, i.e., its recurrent abusive treatment of opponents and minorities" (1998: 159). The more violent a state's history concerning the use of force against minorities, the stronger likelihood of genocide. The reason for this, according to Harff and Gurr, is that "a

cultural disposition to accept violence as a means to maintain power and to settle disputes” is an established or normative feature of government (1998: 159). Such factors are activated by “particular political circumstances” which they broadly cite as “struggles for power” (1998: 160). Under these conditions “racist doctrines of national protection or social purification” become more politically palatable and “help justify the destruction of victim groups by blaming and dehumanising them” (1998: 159-60).

This important observation reveals that patterns of public violence have their basis in moral standards of acceptability and are linked to the assumption that patterns of violence, including genocide, are serious, yet viable temptations for governments when such patterns are established features of political history. Thus, one may assume that patterns of normalisation concerning violence against minorities establish the possibility of greater acts of violence which come about by a decaying moral climate. The other important factor that this research highlights is that the ideology and type of regime are strong indicators of genocide. Harff recently revealed that “countries in which the ruling elite adhered to an exclusionary ideology were two and a half times more likely to have state failures leading to geno-/politicide as those with no such ideology” (Harff, 2003: 66). Unfortunately, Harff and Gurr do not explore any of the specific forms of normalisation or moral changes which may correlate with more violent acts like genocide. Even though this is a minor shortfall, other theorists have questioned the assumption underlining their approach which suggests that the sources of genocide derive from “sheer ethnic diversity”: the greater the diversity the greater the likelihood of genocide when “conflict is protracted” (2003: 64).

There is recent evidence to suggest that this correlation hypothesis between diversity-genocide cannot be universally qualified amongst all cases of genocide. Harff’s own recent research has indicated that only two factors of diversity are correlated with genocide: “active ethnic discrimination and elite ethnicity” (2003: 68). However, the only strong correlation with genocide occurs when “an ethnic minority dominates the elite” (2003: 68). This suggests that heterogeneity is only a factor when one group controls the power the state and does not suggest that diversity itself leads to genocide. Also, David Laitin’s research has suggested that conflict over language grievances can paradoxically have an ameliorative effect for the potential of rebellion and violence in certain situations (Laitin, 2000). This point has relevance for understanding genocide, since it challenges the “standard literature on ethnic conflict

that often conflates all forms of ethnic contestation” and dismisses their ‘positive’ significance in mitigating greater forms of violence (2000: 102). One conclusion to be drawn here is that stratified cultural or moral differences between dominant and subjugated groups do not always increase the probability of violent conflict. Laitin’s research actually reveals that “*greater linguistic similarity raises the probability of violence*” (Laitin, 2000: 103). This may be an indication that groups similar in nature are actively seeking ways to distinguish themselves from one another, including employing strategies of violence to make this distinction more apparent. Although this evidence does not contradict all of Harff and Gurr’s important claims (for example, that past violence is a good predictor of future genocide/politicide), it does force greater substantive speculation into the relational features of a political situation that might account for an increase in specific kinds of conflict. Thus, Laitin’s results forces us to abandon the general claim that conflict is always a pejorative indication of a greater likelihood of genocidal violence, an assumption which is featured in Harff and Gurr’s view of the state and society. Despite the contribution of Harff and Gurr’s research into the immanent influences of the state which result in genocide, Laitin’s research suggests that one must carry forth more substantive investigations into the influence of specific features of cultural difference and patterns of conflict that are related to genocide. In other words, one needs to better qualify which kinds of conflict and political ideals lead to genocide. In order to try to better isolate the kinds of political ideals and patterns of conflict, I will explore the empirical evidence linking the forms of government most associated with genocide.

### *Power and the General Theory of Government Killing*

The distinctiveness of Rummel’s (1995) theory derives from his effort to account for the causes of genocide via a general theory of government and power. He has developed a theory of democide—death by government—founded on a variation of an old maxim, claiming that “Power kills, and absolute Power kills absolutely” (Rummel, 1995: 19). Unlike Harff and Gurr, the content and intentions of governmental authority feature centrally only to the extent that they control the means of violence. In accounting for democide, what is novel about this approach is that for Rummel motivations of government are secondary when considering the possession and exercise of power. The ability to achieve an end through the use of violence is the

central concern of this theory. This theory focuses on the *form of killing*—under which the perpetrator exercises violence—and the *types of government* where power is most concentrated.

Like many others in the field, Rummel sees himself as part of a conceptual tradition addressing the modern horrors of our time. To confront these horrors, he suggests one must include various forms of state murder under a single, measurable term, which he calls “democide.” Rummel argues that the conceptual coverage of killings by governments understood in this way “extends beyond” the limitations of the term “genocide” (Rummel, 1994: 3). In constructing his new concept, Rummel reflects back to Raphael Lemkin’s well-known definition of genocide, a term which he sees as addressing the ruthless killings of a particular age, but yet one which has lost its central importance at representing the entire spectrum of government killing. Consequently, the reason social science demands a new term “democide” is to account for those killed by the diverse methods of state murder:

...scholars increasingly have come to realize that restricting the killing aspect of the concept [of genocide] to those murdered by virtue of their indelible group membership does not completely account for the millions wiped out by the Nazis...The linking of such diverse acts or deaths under one label [of genocide] created an acute conceptual problem that begged for the invention of a new concept that covers and is *limited to* intentional government murder (1994: 33-4).

The term democide is thus intended to measure and acknowledge the actual amount of human destruction conducted by state governments. To avoid the restrictions posed by the term genocide when facing the vast scale of government killing, Rummel proposes reconfiguring the term genocide (an attempt characteristic of most scholars in the field). His remedy invented an even broader concept that would apply to all forms of governmental murder, while still preserving (or reclaiming) the UN version of the term genocide as part of this grand spectrum of democide. Rummel’s intention is to not only conceptualise a broader concept that covers specifically government killing, but also employ other, more specific, concepts (e.g. politicide, mass murder, etc.) that recognize the *patterns* of government murder as qualified by the kinds of targets involved in both intentional and unintentional governmental killing. These are defined as:

Genocide: among other things, the killing of people by a government because of their indelible group membership (race, ethnicity, religion, language).

Politicide: the murder of any person or people by a government because of their politics or for political purposes.

Mass Murder: the indiscriminate killing of any person or people by a government.

Democide: The murder of any person or people by a government, including genocide, politicicide, and mass murder (1994: 31).

Like Horowitz, Rummel's explicit concern in creating this term is with the recognition of unjust killing as the core ethical indicator and defining characteristic of types of society and governmental authority. In his view, the term "democide" includes examples of "intentional killing of people because of their politics," "mass murder by government," and "the unintentional spread of disease to indigenous populations during European colonization" (1994: 34).

Whilst Rummel has compiled the most extensive empirical evidence relating to genocide and state murder, this approach is coupled with the attempts to moralise the analysis of governmental forms, thereby privileging certain forms of government over others. One of Rummel's central conclusions is that totalitarian government, with its high score of total concentrated power, is strongly associated with genocide. Governments which scored lower on this scale were democracies where centralised power was checked by other institutions of government. His evidence suggests that democracy fails to correlate with genocide because it lacks an unchecked-centralised authority. This measurement is solely referenced by the amount of killing conducted by these forms of government. This moralising of governmental categories is thus based upon the empirical finding that *genocide (and government killing in general) is negatively correlated related with the divisibility of authority*. Democracies are 'better' because they tend to divide power separating branches of government and thus kill less people. His view of the "modern Black Plague" of state killing is one of a "plague of Power" that relates specifically to the ability of governments to exact force through a lack of institutional restraints (1994: 9). He claims that checks function to restrain power and create a society that accepts non-violence as a political strategy where "the ballot replaces the bullet" (1994: 23). To prevent democide it is thus necessary to foster "*democratic freedom*" that divides power and restrains the means of violence (1994: 27).<sup>19</sup>

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<sup>19</sup> Rummel uses the terms "democracy" and "totalitarianism" with little concern over how they are elsewhere defined other than through their relation to the divisibility of authority through civic institutions.

This moralisation of government forms means that *no* concern is given to the possibility that democratic states may actually advocate or sustain horrific circumstances (poverty, unemployment, disease) that create the murderous or degenerative conditions that cost human life. Moreover, this approach neglects the potential that such degenerative conditions may even establish the grounds to transform democratic governments into more autocratic states. Rummel thus neglects to consider the state's power to control the conditions under which people live *and* die, and that even some 'democratic' governments will support and directly establish degenerative conditions which will ensure a strategic advantage for their state. There are also other problems associated with this theory. Whilst Rummel reveals that government killing is directly related to an undivided authority, his claim is not that democide is *possible* because power is absolute, but that "*power is a necessary cause for war or democide*" (1994: 20). This causal conclusion is far fetched because it neglects to consider not only the nature of correlation research, but also the internal anti-democratic political developments within states that actually may mitigate government killing.<sup>20</sup>

A concern for this theory is that it is not clear how the possession of absolute power itself "causes" genocide, even though one may agree that a monopoly of violence is functionally necessary for mass atrocities. Rummel's statement thus conflates two distinct claims, one of necessary conditions leading to government killing and the other that the possession of these forces 'causes' genocide. Despite the misleading implication that one can infer causality from correlation data, the valid hypothesis of this theory is that absolute domination is a primary condition, but not the cause, of genocide. To say that absolute or undivided power is a condition necessary for genocide means that genocide is a crime that is possible under conditions of total domination—one of the common assumptions within the field of genocide studies. Without relinquishing this important evidence I would, however, like to build upon his conclusion by offering a different explanation for the relationship between totalitarianism and genocide, one that questions the causal nature of power. I want to argue that within the category of 'totalitarianism' are variables that confound

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<sup>20</sup> It is worth noting that no attention is paid to the fact that even anti-democratic positions taken by government officials are morally desirable and which may even lessen government murder. The death penalty imposed by governments is one such an example; the British government and some US states refuse to consider such measures even though democratically the majority of people in the United Kingdom and the United States support capital punishment.

Rummel's evidence and that one such variable is a self-referential motivational logic prevalent in what Rummel has called 'totalitarian' forms of government. In the next section, I will show that such a hypothesis, unlike Rummel's causal speculations, is in keeping with existence of the paradoxes of genocide.

### *Consequences of the Paradoxes of Genocide*

The paradoxes of genocide have important consequences for establishing the direction inquiry. Like the empirical theories evaluated in this chapter, these paradoxes help one understand the decision to enact a policy of genocide by excluding certain variables while privileging others. The point of this section is to compile and resolve any tensions within this evidence that will inform and direct the subsequent investigations in the following three chapters.

One paradox of genocide was demonstrated by the conduct of genocide itself which consistently undermined the self-identity and power of the state. One important lesson to be gleaned from the perpetrator's paradox is that the self-negation of the power and standing of a government means that a policy of genocide is motivated for purposes other than the desires to aggrandise power and influence. This conclusion puts into question part of Rummel's theory that the lust for undivided power is a cause of government killing and genocidal policy. Since the policy of genocide undercuts the power possessed by the state, this precludes one from claiming that undivided power causes genocide and entails that *more radical motives* may underlie this form of violence. In other words, this observation of the perpetrator's paradox suggests at the existence of a different set of influences which bears upon the decisions to enact a policy of genocide than those suggested by Rummel. Thus, his approach explains nothing about what rationally motivates governments to commit genocide when they possess a monopoly of unchecked violence.

The conclusion one can draw from Rummel's empirical findings is that states have a greater *opportunity* to commit genocide because their authority is unrestrained. This is a result of the condition that genocide is only possible where total domination is secured. Thus, *the will to conduct* such a policy is not a feature of this condition of total power and it is this *decision* to implement genocide that demands explanation. My position suggests that total power is an essential means of a certain kind of motivational scheme, since governments that enact genocide actually undercut the

likelihood that their domination of society would bring about their vision of a new social order. In the following chapters of this thesis, I will explore the possibility that there are immanent influences within governments which incline them towards genocidal policies. Unlike Rummel, I want to suggest that the motives to enact genocide derive from a narcissistic or self-centred desire to make such radical ideological desires a reality—a desire which is possible only when governments possess total domination over society. I am arguing here that genocide derives from the perverse and intense contention with the other that reorders society according to principles that are distinct from, yet also performatively dependant upon the total domination of society. An explanation I want to explore derives from the identification of a self-referential ability to create a new order based upon an antithesis, which is independent of worldly considerations. It is in this sense in which I am in agreement with Žižek when he describes Adolf “Hitler as his own ‘revisionist’, that is, an ironist almost in the Rortyan sense, for whom the ‘final solution’ was a cruel joke *accomplished just for the sake of it*, [and] not for any external goal like power” (Žižek, 2002a: 64; emphasis added). Thus, there is a kind of narcissistic grammar integral to some governments which, I will argue, inclines them to commit genocide. What inclines my argument to espouse a self-referential hypothesis in explaining the decision to conduct genocide against the theory advocated by Rummel is based upon the paradoxical nature of genocide.

The victim paradox, like the perpetrators paradox, challenges some fundamental assumptions about genocide. Firstly, it contradicts the hypothesis which claims that genocide resembles a situation of conflict where rival groups compete for domination through exterminating one’s opponent. In one sense, the prevalence of this paradox suggests that the structural power differentials within society necessarily contribute to the possibility of genocide because the ‘other-as-threat’ is signified by their *de facto* powerlessness. This means that dominant groups use their position to redesign the living constitution of a society by eradicating ‘weak’ peoples because their position is seen as threatening. To eliminate the ‘power’ of the powerless, authorities employ genocide in an aggressive, rather than competitive manner which is designed to reconstitute society.

A central reason why genocide diverges from competitive conflict is that the genuine enemy—one that constitutes a threat—is *not* the prime target of genocidal

violence. As I discussed in chapter Two, Carl Schmitt suggested that politics is animated by a friend-enemy antithesis. Schmitt recognized that politics can be reduced to the friend-enemy antithesis because what underpins polemical dealings is the possibility of extreme conflict. The essential point here is that politics is only possible where one is able to distinguish between “the real friend and the real enemy” (Schmitt, 1996: 37). For Schmitt, what characterised the enemy is their possibility to realise violence: “an enemy exists only when, at least potentially, one fighting collectivity of people confronts a similar collectivity” (1996:28). However, in cases of genocide the presence of the victim paradox means that there is no threatening other that can challenge the power of other dominant positions. In fact, the victim paradox actually occludes the ability to identify the genuine enemy capable of violence due to the creation of the ‘threatening other’ as a *point de capiton* that unties the field of opponents under a single banner. Genocide, even prior to actual violence, is a policy that represents an effort to transcend the friend-enemy antithesis by targeting not the powerful, but by vilifying and targeting the ‘weak-as-powerful’, and in doing so attempts to uphold the *appearance* of adversarialism in public life.

Since the enemy is one who constitutes a *real* threat, the victim paradox indicates that a new kind of antithesis is operating in contrast to the one that animates politics. The victim paradox, as it has existed in cases of genocide, suggests that the ‘foe’ is *not*, under Schmitt’s definition, a genuine adversary, but a *non-political* ‘group’ that does not have the capacity for real conflict. Schmitt did indicate that there are kinds of conflict that transcend “the limits of the political framework” because they inflict violence designed to “degrade the enemy into moral and other categories” which requires that groups are “not only [to] be defeated but also utterly destroyed” (1996: 36). Thus, the non-political enemy is one “who no longer must be compelled to retreat into his borders”, but is susceptible to forms of total destruction (1996: 36). As I will examine in the next chapter, this kind of non-political vocabulary is open to critical examination and does exist within what one can call ‘totalitarian’ government.

As a result of these findings following from the analysis of the paradoxes of genocide and the work of Rummel, greater detail will be paid to the relationship between the unique tenets and practices of totalitarian government and its relationship to genocide. By investigating the substantive processes that may better account for this correlation, I will be in a better position to highlight the genuine variables that

influence this relationship. To build a new understanding of genocide I have argued in this chapter that it is necessary to abandon the fallacious presupposition that genocide as a form of violence that requires genuine conflictual divisions, and one should think of the relation between the state and society in a more dynamic-constructivist fashion that examines the motivational decisions of state authorities. Although the theories based upon these empirical findings share significant limitations, the empirical correlations they rely upon do suggest that there is something internal to totalitarian governments that more often leads them to enact genocide. In the next chapter I will seek to qualify their findings in a fundamentally new way through the pioneering work of Hannah Arendt's theory of totalitarianism in an effort to explain what exactly constitutes the association with genocide and totalitarianism.

## Chapter Four

### Genocide, Politics and Arendt's Theory of Totalitarianism

*Totalitarian government does not just curtail liberties or abolish essential freedoms; nor does it, at least to our limited knowledge, succeed in eradicating the love for freedom from the hearts of men. It destroys the one essential prerequisite of all freedom which is simply the capacity of motion which cannot exist without space.*

Hannah Arendt<sup>1</sup>

*They crowd my memory with their faceless presences, and if I could enclose all the evil of our time in one image, I would choose this image which is familiar to me: an emaciated man, with head dropped and shoulders curved, on whose face and in whose eyes not a trace of a thought is to be seen.*

Primo Levi<sup>2</sup>

#### *Introduction*

In this chapter I will explore the kind of government organisation most associated with what I have described as modern total genocide: totalitarianism. Of all the theories to have explored this form of government it is Hannah Arendt's (1968) theory of totalitarianism that is by far the most historically detailed and theoretically insightful. I shall explore Arendt's theory in much the same way as she judged and formulated her own concepts: as living opposites. To comprehend the nature of a form of government called 'totalitarianism', entails not only describing what characterises this system, but also means identifying the kind of world it actually seeks to destroy. Thus, I will put forth a new understanding of genocide by revealing how genocide is linked with totalitarian government.

I will begin this chapter by examining the distinction between politics and genocide through the work of Carl Schmitt (1985) as initiated in the previous chapter. I argue that Schmitt's perspective of the political does help us to see clearly the distinction between politics and genocide. However, Schmitt's vision of politics

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<sup>1</sup> *The Origins of Totalitarianism* (1968: 466).

<sup>2</sup> *Survival in Auschwitz: The Nazi Assault on Humanity* (1996: 90).

contains an inherent limitation which cannot help us understand the extent to which politics further diverges immanently from genocide. I propose that Arendt's political philosophy and the theory of totalitarianism can remedy this limitation and better reveal the immanent divergences between genocide and the political.

To explore this distinction in greater depth I examine Arendt's theory of politics first through her distinction of power and force, and then in comparison to her theory of totalitarianism. From Arendt's perspective I argue that genocide should be understood 'topographically'. I suggest that genocide is a policy which is based upon a language of design which treats society as a living space for growth. This kind of ideological language is only possible if genocide can collapse the distinctive spaces that challenge this language of design. This means examining how a policy of genocide collapses the spaces around individuals to the point where individuality is itself diminished and then eradicated. To collapse political space the policy of genocide institutes the technical measures which suspend traditional law and replace law's normal functioning with a dynamic movement of violence that is dedicated to realise the universal principles of Nature or History.

I shall argue that genocide is the force that effectively realises this kind of movement and represents a form of 'law' without legality. I explore the functional and immanent divergences between this law-as-movement enacted by genocide and positive law-as-boundary. I also reveal from within Arendt's theory that genocide, as a 'law' governed movement, is the core policy that defines the distinctiveness of totalitarianism as a unique form of government distinct from tyrannical rule. Overall, I suggest that genocidal governments are not lawless, but rather operate under a distinct kind of law void of traditional legality.

Through this discussion of law, I argue for a new understanding of genocide as a collapse of space. I then explore the details of this collapse with reference to cases of genocide. Finally, I discuss the limitations of Arendt's theory of totalitarianism for the study of genocide. I argue for a departure from Arendt's historical-structural methodology in favour of a greater comparative exploration of the grammar of genocide.

## I. The Politics-Genocide Distinction

In this first section I will briefly lay the groundwork for the exploration into the aspects of genocide that will be examined in greater detail throughout the chapter. In the previous chapter I showed that the image of the other in cases of genocide serves an important function for enabling not only their destruction, but also the reconstitution of society along a single contention. In the last chapter I suggested, through the work of Bauman (1991) and Hilberg (1983), that a necessary condition of the complete destruction of the other also entails an organised and logical path of evacuation from what Fein (1993) first termed the sphere of moral obligations. The pattern of moral eviction, from a space mediated by the rights and obligations of law into a category of vice is the point where the other becomes subject to the logic of distancing that removes the victim from *all* moral concerns and situates the other as an object of technical considerations where they become the exclusive objects of bureaucracies. The argument I want to put forth here is that a similar process is occurring within the political sphere, one that resembles not simply an evacuation from moral duty, but a collapse of the political itself. The hypothesis I propose to examine is that the political opinions and obligations that mediate between the other and state, begin to collapse as the contention with the other becomes genocidal. This indicates that the policy of genocide is at odds with the central aspects of political action. In the following section of this chapter I will explore this distinction between genocide and politics through the work of Carl Schmitt and Hannah Arendt.

### *Schmitt on Politics*

As I discussed in chapter Two, Carl Schmitt suggested that politics is characterised by a friend-enemy antithesis which is animated by its degenerative or extreme outside—the possibility of warfare (as physical killing). For Schmitt, what characterises the enemy is their possibility to realise violence: “an enemy exists only when, at least potentially, one fighting collectivity of people confronts a similar collectivity” (1996:28). Schmitt recognized that politics can be reduced to the friend-enemy antithesis because what underpins polemical dealings is the possibility of extreme conflict and the desire to avoid it. Only with this violent potential does political deliberation become fully animate. Schmitt based this interpretation of the political not on cultural or ideological concerns, but rather within the confines of *realpolitik* which

assumed that one is able to distinguish between “the real friend and the real enemy” (Schmitt, 1996: 37). This means that the determination of actual opponents who threaten a political standpoint is a fundamental aspect that constitutes authentic political action. What demarcates the policy of genocide from this interpretation of political action is the presence of an opponent that is powerlessly ‘threatening’.

As I explored in the last chapter, the victim in cases of genocide is a deeply paradoxical category that identifies the threat of the other by virtue of the powerlessness of the group. Because the victims of genocide do not possess the means of violence that could undermine or threaten the political survival of a rival group, a policy of extermination does not fall under Schmitt’s friend-enemy antithesis that is necessary to animate political action. Schmitt’s politics, as an exemplar of *realpolitik*, requires an identifiable opponent that is actually threatening to the existence of another political position. This genuine enemy must at least hold the potential to resort to violence that would destroy an opponent’s power to forge agreements. In cases of genocide, however, the presence of the victim paradox, as a characteristic of victim selection, disqualifies the victims of genocide as an ‘enemy’ in the Schmittian sense, since they do not represent a genuine threat to the social or political order. Even though a policy of genocide may still give the appearance of adversarialism in public life by exposing new ‘threats’ to the public order, the kind of contention within which this conflict is expressed has fundamentally changed due to the powerlessness that qualifies the category of ‘enemy’. This indicates that a policy of genocide occupies a different kind of contention than the friend-enemy antithesis characteristic of Schmitt’s vision of political action.

Identifying the victim paradox as a feature of genocide and contrasting it with Schmitt’s theory of politics suggests that the antithesis underpinning genocidal policy functions in an anti-political context. In his writings on politics and the friend-enemy antithesis, Schmitt excludes the total destruction of an enemy as a feature of the political. Schmitt insisted that this kind of violence derives from a different antithesis than the one underpinning the political. Schmitt thought that the total destruction of a group made no political sense since the principal target in the friend-enemy antithesis was the opponent’s power to determine decisions, rather than the existence of an opponent as such. Although Schmitt never explored this kind of non-political enemy, he did acknowledge that conflicts of this non-political, genocidal sort transcend “the

limits of the political framework” and resembled patterns of violence that “degrades the enemy into moral and other categories” which requires that their targets “not only be defeated but also utterly destroyed” (1996: 36). Thus, the non-political enemy is one “who no longer must be compelled to retreat into his borders”, but is subject to other forms of total annihilation uncharacteristic of traditional warfare and its relation to the political (1996: 36). Thus, under Schmitt’s theory “war is the existential negation of the enemy” by which violence is employed tactically to undermine their power to decide, a practice which underpins and conditions politics (Schmitt, 1996: 33). However, when the enemy becomes subject to another antithesis that degrades their character to the point where their total destruction appears ‘necessary’ or even ‘advantageous’, then one has entered a contention where *genocide is the negation of politics*. Thus, the practice of extermination indicates the negation of the political because the enemy is degraded from being an ‘adversary’ where their power is targeted, into another category where their very existence is questioned.

Unfortunately, Schmitt’s account of politics is limited as to how far it can help us visualise the distinction between politics and genocide. This is due to the fact that there are patterns of violence, such as war, that restrict and influence the political in detrimental ways. Thus, to better pivot a distinction with the policy of genocide and envisage the derogatory manners in which violence degrades the political, I need to identify the specific corrupting aspects of violence and examine its ‘collapsing’ impact upon politics. What is thus required is a normative distinction between those actions which sustain and those which constrain the political. For this I turn to Hannah Arendt’s theory of politics.

### *Arendt on Power and Force*

In this section I will argue that Arendt’s vision of the political does not harbour the limitations of Schmitt’s account as it rests upon a different version of the political that articulates the kinds of immanent action that sustain and constitute politics. A crucial aspect of this perspective is her distinction between power and force. Unlike Schmitt, Arendt identifies a normative boundary that clearly defines the kinds of action that sustain or threaten the political. Power and force are two normative patterns of action that are defined in relation to attributes of the political sphere. The most important of these attributes of the political community are that politics is an agonistic place where

freedom is discursively actualised and is based upon the irreducible condition of plurality (the distinctiveness of individuals).

Arendt employed the term ‘force’ to describe patterns of instrumental action that undermine and threaten the political sphere. These kinds of action are designed to multiply the attributes of strength possessed by a segment of individuals over and against others in a community. By monopolising the means of violence, for example, one person could exact their will over others in the community. This detracts from certain essential conditions of the political, namely its discursive foundations and plurality. This aspiration towards a monopoly of violence constitutes, for example, “the destruction of plurality” as it treats members as reducible categories that constrain their individuality by subjecting them to a means-end reasoning that prevents the discursive expression of their opinions (Arendt, 1958: 202). By treating others as malleable categories, for example, their individually distinctive voices in public become diminished. Force is an instrumental form of domination over and in spite of another’s will. Force is analogous to physical strength as it is a measurable and reliable entity that can be mechanically exacted and organised in secrecy or isolation from the wider community. Its existence is not dependant upon common consent or participation, but on the material means to procure compliance through coercion or violence.

Physical strength and its use to dominate human objects in its territory are “forces of nature” or “the force of circumstances” which are indicative of an energy of constraint (Arendt, 1970: 45). These circumstances are open to manipulation by those who possess the means of violence. Violence is thus an instrumental implementation or tool-like artefact that is designed to amplify the natural strength of the few. In a political circumstance this entails the dominance of the few over the many. The use of violence rests upon the fear of death or injury to human physicality. This means that force is devoid of any reliance upon communication and resembles the asymmetrical acts of nature that do not require negotiation or consent. The most destructive effect that force can have is upon its rival pattern of action: the power underlying common consent.

Arendt’s unconventional understanding of power is based upon describing the strength of those public bonds that keep people together in an on-going process of “actualization” in which politics is constituted through proper political action (1958:

200). When it is said that someone is “in power”, Arendt understands this to mean that the person is supported by the communicative consent of a community. Arendt writes:

When we say of somebody that he is “in power” we actually refer to his being empowered by a certain number of people to act in their name. The moment the group, from which the power originated to being with (*potestas in populo*, without a people or group there is no power), disappears, “his power” also vanishes (Arendt, 1970: 44).

Under this vision, power is not the property of an individual or an aggregate of individuals, but derives from the common ability to communicatively interact by forging words and deeds. In “the potential space of appearance between acting and speaking men”—that is, the space of politics—power is the common bond sustaining politics by people living together (1958: 200). As power is only what is held in common, it exists only so long as men interact and actualise old and new covenants. These variable and unquantifiable bonds are what keep people from fleeting moments of interaction, and thereby serve to stabilise political freedom. Yet, power is fundamentally dependant upon its future potential of actualising “new realities” and establishing new relations (1958: 200). Unlike force, power is not something that can be stored or measured, but is a continually variable bond that helps constitute the political activities of men.

It is helpful to understand power as an engendered expectation of togetherness that constitutes the potential of future accomplishments in a community. Power deals with the relations between men, which may be continually changed in innumerable ways as it possesses no material limitations (aside from its living members). It is in this sense that “power...is boundless” as it possesses no physical limitation (1958: 201). So long as relations between word and deed exist, power can be divided, checked and organised in patterns that can increase its potential for greater achievements between members. Thus, unlike force, power does not reduce segments of the community to manipulative means in the service of a sovereign’s will and cannot be employed by a single person. Instead, this pattern of power can only be conducted by the mutual co-operation of its members, who enjoy some form of equal entitlement and access to public space.

Arendt’s vision of the political does not inherit the limitations of Schmitt’s account because it clearly excludes force from the realm of politics. In this sense politics is not dependant upon the struggle against an enemy, even though for Arendt the space of politics is still profoundly agonistic. Arendt not only gives a fuller (and

more detailed historical) account of the political, but does so by giving politics a normative content that is premised upon communication and opposed to the elements of force that can disrupt and corrupt these common bonds. What constitutes the political is never the rule over others, but the new rules and realities developed from a common existence with others—“in sheer human togetherness” (1958: 180). Unlike Schmitt’s account that describes politics as animated by an antithesis that both sustains and potentially undermines the political, Arendt suggested that the agonistic space of politics is sustained by the *power* of a specific kind of cooperative bond where togetherness rather than manipulation and force are the elements that constitute the political. The political is thus undermined by a rival normative pattern that employs violence at the expense of plurality and communication. Thus, force can never be authentically political as it possesses no genuine linguistic basis in human affairs and can only undermine equitable cooperation. The entry of force into the political sphere is always a corrupting influence that signals the end of political action and the digression into another form of authority that mitigates the power of common consent. The moment force is employed in determining the contours of the public realm the political community becomes a sphere of administration to be managed by more or less benign forms of tyranny. Under these conditions plurality and communication that constitutes the “web of relationships”—the speech and action that constitutes the binding in-between of human affairs—are eroded into spaces of isolation where opinions can be forcefully excluded (1958: 181). Thus, force can never be an adequate substitute for power because equitable togetherness and communication (the foundations of the political) are antithetical to fear and isolation. The “isolation of the tyrant from his subjects and the isolation of the subjects from each other through mutual fear and suspicion” is not an environment that can sustain genuine communication (that is, non-deceptive speech) and consequently politics (Arendt, 1958: 202).

For my investigation of genocide the important distinction between Schmittian and Arendtian politics concerns the depth at which the normative patterns of political action are theoretically clarified. Arendt’s account of the immanent elements of the political reveals that governments which conduct a policy based upon force can never adequately replace an authentic political community that rests upon power. In summary, I would like to clarify at this early stage why genocide resembles the

expression of force *par excellence* from the perspective of Arendt's theory of power and force. Firstly, genocide, like force, destroys the distinctiveness of individuals by compressing the categories of people it seeks to destroy in line with Universal ideological laws of 'History' or 'Nature'. Secondly, genocide is a form of violence that is decisively monological and hence non-communicative as it excludes the voices of all those who are forced into two roles: the victim and executioner. Arendt's distinction between power and force offers us a unique vantage point for witnessing how politics, as a democratic space formed by the power of common bonds, is contrary to an understanding of genocide that systematises the elimination of parts of a community. This democratic perspective is valuable not only for its own merits as a unique political theory, but also, as I shall argue below, because it was inspired by an investigation into the elements which crystallised into its living opposite: totalitarianism.

### *Totalitarianism vis-à-vis Politics*

The question that Arendt poses for the content of authentic action in political space was in part answered for by the system of terror developed by totalitarian government. Arendt developed her understanding of politics by examining the system of government that took the category of force to a perverse extreme in the development of the extermination camps and the creation of superfluous human beings. Arendt's vision of politics as the ability of unconstrained freedom to act communicatively in public with others was inspired by her experiences as a stateless person in flight from Nazi persecution. This experience of statelessness made an impression upon Arendt that was contended with in a political, rather than religious or social manner.<sup>3</sup> The state of emergency which suspended civic and political rights following the burning of the Reichstag in 1933 was the beginning of an attack on the right to have rights, which excluded Jews and others from any authentic public standing first in Germany and then throughout occupied Europe. Arendt interpreted these actions not merely as an attack on pariah groups but on the condition that people should have "a place in the world which makes opinions significant and actions effective" (Arendt, 1968: 296).

This "world" is a condition of genuine human experience that represents the things located in-between all of us—"the world, like every in-between, relates and

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<sup>3</sup> Reflecting on her own, work Arendt wrote: "I do not believe that there is any thought process possible without personal experience. Every thought is an afterthought, that is, a reflection on some matter or event" (Arendt quoted in Bernstein, 1996: 71).

separates men at the same time” (Arendt, 1958: 52). For Arendt, “world” means the capacities, such as the right to have rights, which are the human institutions that exist between us that we hold in common. She writes:

This world...is not identical with the earth or with nature...It is related, rather, to the human artefact, the fabrication of human hands, as well as to affairs which go on among those who inhabit the man-made world together. To live together in the world essentially means that a world of things is between those who sit around it; the world, like every in-between, relates and separates men at the same time (Arendt, 1958: 52).

The human creations that constitute the world both divide and relate us together, distinguishing us from other forces in our environment. The terror of totalitarianism, as expressed by the perpetrator’s policy of extermination, is a method that seeks to destroy the constitutive and protective spaces between people. The violent process of genocide accomplishes this collapse by levelling the protective distances that allow people to distinguish themselves.

Positive law is, in this sense, a public artefact that is part of the world which functions to separate and relate institutions and people in a public forum, by defining the rights and procedures which restrain and relate both the subject and the state. This world-as-artefact is unlike the natural world, since we can only share these things in common with a plurality of men. This plurality is a condition of the public world which represents our unique individuality “that nobody is ever the same as anyone else who ever lived” (1958: 8). The state of emergency which suspended the rights of people was an attack on a much deeper aspect of human life, namely our capacity to have rights that ensures our place in a political world. Without these kinds of components (such as law) that contribute to our notion of world, our plurality, characteristic of the human condition, can never fully be actualised to reveal our genuine distinctiveness. Thus for Arendt, the greatest danger of totalitarianism is not that it uses terror to destroy millions of people, but that these governments employ a system of terror that uses forms of violence to undermine our potential to become fully human in the world.

For Arendt, the greatest accomplishment of totalitarian government was to show that humans can become “superfluous” to universal and impersonal forces that supposedly run through Nature or History (1968: 457). “Power, as conceived by totalitarianism, lies exclusively in the force produced through organization” as exemplified by its fundamental institution: the concentration camp (1968: 418). The

camps organised a system that made human subjects superfluous to a kind of “ideological superstition” that was logical and “sensible” (1968: 457). Arendt writes:

...within the framework of the totalitarian ideology, nothing could be more sensible and logical; if the inmates are vermin, it is logical that they should be killed by poison gas; if they are degenerate, they should not be allowed to contaminate the population; if they have “slave-like souls” (Himmler), no one should waste his time trying to re-educate them. Seen through the eyes of the ideology, the trouble with the camps is almost that they make too much sense, that the execution of the doctrine is too consistent (1968: 457).

The destruction and useless torture of countless victims creates superfluousness by unleashing totalitarian ideology through violence, making all their victims’ efforts to resist their suffering seem senseless in light of the organisational forces of Nature or History that are being realised. In this sense, totalitarianism does not merely deprive people of their freedom, but undermines the world where action and opinion can resonate. Totalitarianism revealed that the conditions of the world and human plurality can be destroyed by an organisation of force that creates a milieu where elites express the expectation that “everything is possible” (1968: 440). The universal pseudo-scientific doctrines destroyed the possibility of a world by reducing the plurality of their victims by creating the conditions that supposedly defined *what* humans ‘really’ are.

Arendt thought that humans can only be fully expelled from humanity if there is a “loss of a polity itself”, that is, a place where human distinctiveness can be discursively demonstrated (Arendt, 1958: 10). To possess access to a polity, therefore, entails the possibility of distinguishing *who* one is through deliberation within a community of others. Politics, contrary to totalitarian government, is an agonistic space where character is developed, revealed and shared. To represent ‘worldliness’ means performing the desire to live a shared, yet agonistic public life that shuns any retreat into a life lived in private. Sharing, as an essential element of politics, demands that action must be conducted in a “space of appearance” visible to others; a place that is essentially opposed to the clandestine operations of the camps which exterminate people for what they are (1958: 199). This political vision should be read in contrast to the secrecy or privacy of death in the camps. Arendt’s political theory was a direct reaction to the totalitarian attempt to destroy the potential for a common world. As Mary Dietz has written, Arendt’s political theory in *The Human Condition* is a

“profound response to the trauma inflicted upon humanity by the Nazi regime” (Dietz, 2001: 90).

The central feature often overlooked in Arendt’s political vision is that the agonistic space of the political is dependant upon the communicative disclosure of one’s agency entailing a “phenomenon of self-revelation”—what Arendt called “the disclosure of the agent in the act” (2001: 100). By having a space of appearance where people can gather and act spontaneously with and against the opinions of others, humans have the possibility of clearly distinguishing themselves as independent of general classifications of strength or ability. Arendt writes:

In acting and speaking, men show who they are, reveal actively their unique personal identities and thus make their appearance in the human world...This disclosure of “who” in contradistinction to “what” somebody is—his qualities, gifts, talents and shortcomings, which he may display or hide—is implicit in everything somebody says and does...This revelatory quality of speech and action comes to the fore where people are *with* others and neither for nor against them—that is, in sheer human togetherness...Without the disclosure of the agent in the act, action loses its specific character and becomes one form of achievement among others (Arendt, 1958: 179, 180).

The space of the political is the topography of appearance where uniqueness is disclosed in association with others who share the same desires of togetherness and self-revelation. Should this togetherness degenerate into factions acting against one another, as in Schmitt’s version of politics as warfare where men act to achieve victory for their vision, speech becomes “mere talk” that serves to deceive an opponent or dazzle the public gallery with propaganda (1958: 180). The ability to act publicly ultimately depends upon the unity between what is proposed and what is done, that is between “word and deed” (1958: 180). The vision of political action as disclosure without the corrupting behaviour of force and violence between rival factions is an agonistic arena of persuasion and dissuasion. Political action is thus deliberative speech as part of a process of deciding about some matter pertaining to the public good. As soon as opinion is based upon the fear of violence, authentic politics vanishes into a fog of deception.

Political action is ideally embodied by bold and memorable speech that is designed to safeguard the central features of humanity and politics itself—plurality, worldliness, natality and life (1958: 11). By excluding force from the political, Arendt sought to regulate the content of political action, confining it to deliberations that preserve its existence. Arendt’s vision of the political is, thus, *politics for its own sake*,

which entails exploring new kinds of public action and togetherness that is abstracted from the concerns of private interests (economic, social or religious). Thus, the content of politics is only geared to the preservation of politics itself in its ability to perpetuate and create the conditions of its own possibility. This reflexive concern cannot be intertwined with the interests of necessity or expediency, but must still exceed the boundaries of the normal into the extraordinary by creating something entirely novel (natality) in service of the political.

Totalitarianism demonstrated that by destroying the public world through the creation of superfluosity, it revealed the vulnerability of political action and the institutions that have preserved the public realm. Arendt's political theory was a quest to recover the public world by creating a durable political topography capable of sustaining agonistic freedom. This vision stands as a "rebuke to the living death and deathly life that is the horrific effect of the extermination camps, and a compelling counter-memory to the persistent spectre of the Holocaust" (Dietz, 2001: 102). Arendt's theory is thus a helpful guide in determining not so much the kind of thinking behind a policy of genocide, but more importantly the social, political and legal conditions of a form of government that employed genocide as a method of crafting a society through the destruction of a political world. The following task is to uncover the kind of human topography that is created by the link between totalitarian government and the employment of genocide.

## **II. The Topography of Genocide**

The architects of genocide understood that the desire for a more perfect political and social order was only possible with the knowledge of the organisational principles of force. What became indispensable for the manipulation of societal circumstances that enabled a policy of genocide was the strategic use of force designed to *expand* the avenues for a contention against the other. This radical and perverse reordering drive entails by its very imposition an opposite effect upon traditional social and political institutions, one which *collapses* the space around individuals in the service of genocide. As Arendt's theory of totalitarianism suggests, the existence of a system of genocidal terror is manifested in a kind of public space that destroys the distinctiveness between people, compressing them into generic categories. Thus, a social order that is

achieved by systematising terror entails a radical curtailment of the spheres of social and political life in patterns that would be consistent with a policy of genocide.

My examination of the collapse of space in cases of total domestic genocide will entail an examination of how the avenues of spontaneous social action of specific spheres of human experience are constricted. This concern, rather than the actualities of physical killing or the mere destruction of liberties, is the prime foundation with which to measure the effects of a policy of genocide. As inspired by Arendt's metaphor of government classification, a theory of space contains a manner of describing the possibilities of public interaction by highlighting the effects upon the capacities for such actions. The design and coordination of genocidal violence can be examined by analysing the division between genocide's architectural model and material structure or execution.

Historically, the idea of space, now a familiar notion among architects, once occupied the world of intellectual exploration in metaphysics. Immanuel Kant, for instance, looked upon space and time as *a priori* conditions to human intuition and not as principles for aesthetic evaluation. The same also holds true for Schopenhauer, who, a half century later, viewed the idea of space as an artistic ideal applied to history (Ven, 1987). Hannah Arendt, on the other hand, thought of space in political terms; how governments structured the public topography of politics that shaped and enabled discursive action.

I want to explore how a new understanding of space can be theoretically conceived in light of Arendt's topographical conclusions about totalitarianism. I want to argue here that by characterising genocide in topographical terms I will be in a position to expose the 'grammar' and 'speech' of 'architectural design' that informs the policy of genocide. My goal is to deploy a vision of space to uncover the relationship between a grammar of design and a policy of genocide. The antecedents of a concept of human space are based upon an architectural ideal of being in a place constructed according to principled ideas that are translated and expressed into practical design or habitat. Human institutions thus become the 'living materials' or structures encompassing individuals. The focus of this architectural model is directed upon the subject under an authority, since genocide is most often a policy of governments conducted, as I shall discuss, under conditions of emergency. As the governors of these spaces, states possess the means of violence that can significantly

determine the conditions of human interaction. The vocabularies of architectural design are the key variables that can reveal the logic underlying an authority's decision to exterminate the other. The purpose of this scheme is to envisage a new way of understanding the relations *between* populations and forms of authority, given that the latter has the ability to determine the conditions which underpin the language and action of societal audiences that can serve to expedite the destruction of groups. In this manner authority is not viewed only in terms of a "monopolistic possession of non-human objects", but as a force that retains the possibility of shaping the conduct of others "due purely to differences in the degree of organization" (Elias, 1976: xviii). This means that the key to understanding genocide rests not only on the material power of authorities, but more importantly upon how these governments organise the conditions and institutions of extermination according to a language of design. My examination is thus directed at surveying an authority's manipulation of context through a grammar of design that reorganises and transforms populations.

### *Architectural Space and Genocide*

Those who have discussed the idea of space and architectural design in the context of genocidal governments have done so merely to examine the expression of political ideology manifested in architecture. Paul Jaskot, in his book, *The Architecture of Oppression*, documents the function architecture fulfilled in inspiring Nazi ideology. He suggests that the romanticized vision of Eastern Europe, "the soil of an older German dynastic culture," was expressed through military prowess and architectural achievement, and thus represented "complementary components in the destiny of the German people" (Jaskot, 2000: 114). In a historical study of Auschwitz and the Nazi demographic policy in the East, Robert Pelt and Debórah Dwork, have shown that National Socialist ideology was influenced by a romantic vision of Eastern Europe and Scandinavia as being the origin of the German people. The war in Eastern Europe ('Operation Barbarossa') was designed to expand the future *Lebensraum* (living space) of a new racial empire. Entire communities of people were resettled in the East according to the Nazis' ethno-geographic vision, reshaping the complete contours of cities and towns according to new rules of population density and agricultural design (Pelt and Dwork, 1996: 151). Population density was to be significantly reduced to provide for the ideal small one-family farm structure that the Nazis had envisioned for

rural habitation. In some cases this meant reducing the domestic population by half. German farmers, resettled onto the land of deported Poles, for example, received practical architectural suggestions as how to “Germanize a Polish farm with minimal changes” (1996: 155).

What these historical examinations testify to, but do not examine specifically, is the existence of an architectural language of genocide. The Nazi vision to reorder Europe was enacted by an architectural language that linked an organic anthropology with human geography and habitat. The organic and unchangeable essence of what constitutes a group is akin to a ‘natural force’ that demands actual space for habitation made possible by a societal design based upon expansion and eradication of the ‘weak’ and ‘ill-constituted’. To effectively theorize a model of this procedure it is essential to examine the structures influencing the dynamic of expansion and eradication in a topographical format.

I would like first to examine this language of design through Arendt’s investigation into the political architecture of totalitarian government. In other words, I will investigate the operational space of genocide and reveal exactly how this policy transforms the functional meaning of law in a state where law is suspended. This transformation is one significant representation of the collapse of space that has disastrous consequences for other societal spheres. Arendt’s investigation of totalitarianism is helpful in this regard because it sheds light on how the function of law under totalitarian governments has diverged from its traditional roles within the nation state and served to collapse the political sphere. Thus, the issue I will now confront concerns the necessary changes to law and politics that express a grammar of design and make a policy of genocide possible.

### *The Collapse of the Political: Arendt on Totalitarian Law*

What distinguishes Hannah Arendt from these literal accounts of architecture and genocide, and what makes her portrayal so important to this discussion of space and genocide is the model in which she understands the nature of totalitarianism as a “novel form of government” (Arendt, 1968: 460). To distinguish the unique character of this form of governance, she employed a spatial analogy which enabled her to diametrically contrast totalitarianism with her own view of the political. As some scholars have suggested, the influence of her investigations into totalitarianism (the

impact of terror intuitions on their human subjects) inspired her interest in the political, yet the importance of her analysis of law as a guiding force of totalitarianism has remained unexamined concerning the study of genocide (Bernstein, 1996; Villa, 1999).

Arendt placed great emphasis upon “Montesquieu’s insistence that the laws of a republic establish not just boundaries between public and private...but also relations between citizens as well” (Villa, 2001: 15). In this view, the law serves as a mediating boundary necessary for the political, much like her concept of world. Arendt expanded upon Montesquieu’s perspective by examining the ancient Greek interpretation of law in the *polis*, where the function of law served as a hedge or wall (*nomos*) that both guarded its internal constituency and protected it from external interference. The law existed for specific purposes of traditional regulation where the public actions of citizens could be curtailed, yet still inspire a spirit of action. The law, in determining the limitations of a person’s actions, formed “boundaries and established channels of communication between men whose community is continually endangered by the new men born into it” (Arendt, 1968: 465). The law serves to “hedge” the natality of new members of a community in a continual process of reproduction. To ensure political stability the law must serve as a protective barrier that translates moral norms thus defining and dividing private from public. The law is thus not political because it serves to clearly define the space of politics which was, during ‘worldly times’, “meant to attain the highest possibility of human existence” (Arendt, 1958: 64). The law thus served to define and contain the expansiveness of politics into other realms. Arendt writes that

...the laws which protect and make political existence, are of such great importance to the stability of human affairs precisely because no such limiting and protecting principles rise out of the activities going on in the realm of human affairs itself (Arendt, 1958: 191).

The law forms a set of rules that both expresses moral traditions and guides meaningful action in public by setting boundaries for constructive action that is dedicated to maintaining the continuity between the community’s past and future. ‘Law-as-enclosure’ formed the public realm not only through a regulation of natality and the boundlessness of political action, but also by enabling a clear distinction between those issues that were private and those that were public. Action appropriate to politics could then have a space that was regulated to ensure its relative stability.

The positive laws of the *polis* thus attempted to confront the inherent frailty of political action, which for Arendt arises from the tendency for action to transcend all boundaries. Thus, the human condition of natality, the continual birth of something that is entirely new, means that the function of law is to be a stabilising presence “that corresponds to the constant motion of human affairs, a motion which can never end as long as men are born and die” (1968: 465). The law serves to ‘hedge in’ the continual stream of new beginnings whilst it also assures the freedom of movement within a political space. In this sense, law preserves the stability and continuity of the political as it helps to

guarantee the pre-existence of a common world, the reality of some continuity which transcends the individual life span of each generation, [and] absorbs all new origins and is nourished by them (1968: 465).

Arendt attempted to show that the law’s restrictions didn’t merely serve to curtail freedoms and preserve a particular form of government, but that this curtailment also regulates the internal space of politics. Within this theory politics is a space of appearance that is stabilised by law, where the principle of political action exists as motion in space. This principle of space, which she adapts from Montesquieu, became the model upon which Arendt judged governmental forms. This concept of political space serves to identify a kind of government in terms of the subject’s potential for action in a public environment that is accessible and representative.

However, the function of law for totalitarian government differs inversely and radically compared to its traditional role as boundary. According to Arendt, totalitarianism “exploded the very alternative...between lawful and lawless government” because it fundamentally changed the meaning and function of law (Arendt, 1968: 461). She insisted that we avoid the temptation that totalitarianism should be judged as merely another form of tyranny, where the tyrant, unrestricted by law, governs by the principle of fear, “namely fear of the people by the ruler and fear of the ruler by the people” (1968: 461). Instead, totalitarianism breaks radically with this tradition, since it does not exclusively operate just within a space of extrajudicial lawlessness common to the tradition of tyranny. Although Arendt suggested that totalitarian governments, like traditional tyrants defy “all positive laws” of the state, forging them into their façade of stability, the real novelty of totalitarianism is that it strictly operates under a new set of ‘laws’ that have supposedly always-already

underpinned the positive laws of nations (1968: 461). Thus, totalitarian movements claim to have hit upon the sources of authority from which the law receives its “ultimate legitimation” (1968: 461).

Arendt describes these sources of law’s authority as “supra human forces”, which are never the property of a single tyrant, but yet are still applied with the ultimate force of authority. As a claim of higher legitimacy, these laws of Nature or History “can do away with petty legality” by pretending “to have found a way to establish justice on earth—something which the legality of positive law admittedly could never attain” (1968: 462). It seeks a ‘higher’ Universal form of legitimacy which is said to bring order to chaos and justice to the earth in a manner that breaks with traditional moral standards. Law, under this view, becomes the “active unfailing carrier” of a new humanity as its product, rather than a traditional force that relies on moral judgment and legal punishment to create meaningful action and preserve the political realm.

What Arendt is arguing here is that totalitarian governments had purported to uncover the ‘real’ source of law which had no exception, a form of law which engulfs all persons including sovereign authority itself. Whereas tyrannical sovereigns could act without the law, totalitarian authority, under this conception, is equally subject to the ‘real’ sources of law and becomes the prime expression or guiding force of these new universal principles. State authorities thus embody and animate these new laws. The central rhetorical attraction of totalitarian law was that it claimed that the basis of governments in traditional positive law had all been masking or holding back the genuine laws that arise from the organic processes of Nature or History. It is in this sense which totalitarianism is not a lawless form of government, but rather a devoutly lawful kind that applies these principles with the force of terror to all its subjects regardless of morality or cultural standards of behaviour.

Yet, there are other reasons why this version of totalitarian law differed radically from the traditional function of law-as-boundary. As this source of totalitarian law is derived from the eternal and permanent aspects of the laws of Nature or History, they are depicted as running through the physical existence of humanity. Whereas positive law has always remained distinct from its subjects, demanding consent and obedience, totalitarian laws treat humanity as the embodiment of law itself. Totalitarian law no longer adapts to the circumstances of man’s civic and political existence as it

did with forms of positive law. Rather, as embodiments of law, all totalitarian subjects become the grounds for expression and “movement” of the laws themselves (1968: 463). History or Nature cease to be human elements that stabilise authority and instead become the “laws of movement” that inspire governments to be an active manifestation of law by shaping, in a literal sense, the constitution of the body politic. Governments and political parties are not just the interpreters of History or Nature, but they also see themselves as the living embodiments of these laws. The term “law” has thus changed its basic meaning under totalitarian government: “from expressing the framework of stability within which human actions and motions can take place, it became the expression of the motion [of Nature or History] itself” (1968: 464). This function of law-as-movement means that “there could be no end to this process” of eliminating the ‘unnatural elements’ of society or ‘dying classes’ of history, since the categories themselves are processes undergoing continual evolution. The movement or force of law is thus constituted by the continual challenges posed to it, by the opposing forces (as rudimentary classes or the unhealthy) that spring up as law ‘advances’ throughout society. Without the confrontation with these elements the force of law’s movement grinds to a halt.

Genocidal violence is thus linked with the demands of exclusion that spring from the law-as-movement. Genocide as a method of totalitarian ‘law enforcement’ persists and expands unlike anything resembling Clausewitz’s theory of violence in wartime. Instead of warlike opponents who continually endeavour to out-perform each other by the expansion of violence, genocide occurs only when all significant resistance is quashed, and operates under this new dynamic which possesses in itself no ultimate end, only strategic objectives in line with the advance of universal laws. Thus, the need to continually exclude and exterminate populations that organically spring up or exist in parts of the social body entails a specific kind of policy of violence. *Only in conjunction with this new shape of law-as-movement does genocide become the central method by which authority enacts the laws of Nature or History.* This pattern of *eradication* meant for Arendt that the essence of totalitarianism was systematic terror. She writes that:

If lawfulness is the essence of non-tyrannical government and lawlessness is the essence of tyranny, then terror is the essence of totalitarian domination...Terror is the realization of the law of movement; its chief aim is to make it possible for the force of

nature or history to race freely through mankind, unhindered by any spontaneous human action (1968: 464, 465).

As the population is continually shaped and reshaped by the laws of movement implemented in a milieu of terror and through a policy of genocide, the space which allows motion between subjects becomes severely constricted. This formulation of law-as-movement under totalitarian rule fundamentally eradicates public space. According to Arendt, totalitarianism's topography is a place of non-space, where the plurality of men becomes reduced to a single image designed to realise the laws of movement. The sole purpose of totalitarian law is the "fabrication of mankind" in its own image; that is, determining the essence of *what* humans really *are* against the spontaneous diversity of the human condition (1968: 465). This destruction of plurality through the fabrication of mankind also has topological significance for public space because it "substitutes" the walls of positive law (the boundaries and channels of communication between men) with an "iron band" (1968: 465). The iron band of totalitarianism "holds [its subjects] so tightly together that it is as though their plurality had disappeared into One Man of gigantic dimensions" (1968: 466).

### *The Topology of Tyrannical and Genocidal Government*

What is unique about the "iron band" of totalitarianism is that the limited room provided by fear and suspicion under tyranny is replaced by a constant terror that eradicates the "space between" men, forming them into a single reliable subject that will serve the demands of universal laws. Tyranny, on the other hand, resembles the experience of wandering in a desert, where at least there exists space for "fear-guided" and "suspicion-ridden" action, even though one is always susceptible to the extreme storms of terror that seem to appear from nowhere (1968: 466).

Durkheim, in his essay 'The Two Laws of Penal Evolution', sought to account for the changes in the severity of legal sanctions imposed by a governmental authority. His central hypothesis was that "*the intensity of punishment is...greater...the more the central power assumes an absolute character*" (Durkheim, 1983: 102). An absolute authority is one that is "not held back by written or by customary law" and exemplifies a deviation from the normal kinds of state/society relations, where civic and other social groups mediate between the sovereign and his individual subjects (1983: 103). Traditional forms of tyrannical rule are thus understood akin to a dominating force as resembling property relations. Durkheim thought that tyrannical authority was

characterised best by its unilateral and unmediated relationship over society akin to the bearer of property: “the owner has rights over his property, which has none over him” (1983: 104). This analogy supposes that the interests of authority (even a tyrannical one) exist in guarding its society as property, which recognises the fact that an authority is only possible to the extent that it can rule over subjects. When disagreements surface and inspire popular action against tyrannical rule, a situation is created that challenges the material strength of the ruling authority. Popular revolts against militarily powerful rulers often employ forms of passive resistance that forgo the use of violence in the face of a large organisation of force. The great effectiveness of this method of resistance is revealed by a people’s willingness to risk physical sacrifice that would deny a victor of the prize of ruling over a society. Society as property, (if we follow Durkheim’s analogy) means that the victor who ‘wins’ by mass slaughter is cheated of his prize since no one can rule over dead men. When the population is willing to accept death over tyrannical rule, an authority which systematically destroys its own citizens undercuts the human source of its own authority.<sup>4</sup> Tyranny is thus characterised by a lack of restrictions placed upon government that signifies its lawless character.

Conversely, governments who systematically employ a policy of genocide no longer share a ‘propertied view’ of society that is reminiscent of Durkheim’s analogy. The relationship between a genocidal authority and society is one that cannot be conceived in terms of property relations. Rather, the society under totalitarian domination sees itself not unlike the human body that is contaminated by illness where certain organic parts of society must be totally eliminated. Under this view, the other as ‘illness’, is systematically eradicated, and not even dignified as a propertied object that may hold a modicum of potential value as their existence supposedly has perilous consequences for the body politic. The other is described within a distinct language game that centrally posits an analogy of contagion derived from their common weakness as an incorrigible threat. Genocide, as a method of ‘treating’ society’s

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<sup>4</sup> Durkheim’s position foreshadows the core arguments of Helen Fein and Zygmunt Bauman as he considered mutual obligations as the integrative social forces which mitigate the absolute power of governments. To exercise absolute authority governments always situate their victims where these obligations have less bearing. Only when such forces are absent does the potential exist to deploy any kind of tyrannical authority. Whilst this is also true of totalitarian governments, tyrannical authorities, however, are unlikely to commit mass atrocity and genocide when their population in revolt is willing to accept death over domination.

weaknesses, defies even the discourse of the other as property, since the victims' existence threatens the well-being of society. A discourse that speaks of society as its property cannot make sense of the authority which systematically destroys its own 'subjects'.<sup>5</sup>

In this section I have argued that a policy of genocide contradicts a fundamental premise which founds the principle of tyranny. By extirpating victims from within a juridical discourse of crime and punishment (and also the political language of citizen-subjects) and situating them within a dynamic of change directed by the design of a new body politic, genocidal governments defy the traditional classification of tyranny. Totalitarianism is thus not, as Benhabib has suggested, a form of government without a topography (Benhabib, 1992: 92-3). Rather, the collapse of space that enables humans to distinguish themselves is a space of non-space that is now occupied by the forces of Nature or History. These forces now occupy a space once open to subjective spontaneity, transforming the once spontaneous and principled actions of a public space into a mass of convictionless and reliable individuals whose behaviour serves to generate the law's movement or perpetual manifestation. The terror of the system continually reforms and compresses its subjects into two kinds of functionary, namely "the role of executioner and the role of victim" (Arendt, 1968: 468). In place of individual action, the universal laws of movement situate the tenets of an ideology that is dedicated to eliminating all spontaneous action in the desire to replace common convictions with a loneliness that prevents people from forming any fervent convictions. The drive against spontaneous convictions is the totalitarian desire *par excellence* that allows the laws of Nature or History to decide the direction and shape of the society.

Nazism, for example, introduced purely objective 'natural' criteria in the selective system of the SS where candidates were chosen from photographs according to purely racial criteria (Kershaw, 2000: 129). In Rwanda, state law before the genocide required residents to be registered by ethnic group even though the 'natural'

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<sup>5</sup> The reason why Durkheim's theory could never contemplate the potential that authority could fundamentally change the basic social constitution of society or "the nature of the social type" was due to an understanding of morality in which the latter was integral to social and individual life (1993: 107). This is why he referred to social types by employing a notion of "species": "the same society can no more change its type in the course of its evolution than can an animal change its species during its own lifetime" (1983: 106). For Durkheim, even the most powerful governments are always limited as to their influence, based upon the fundamental shape of society.

attributes of ethnicity were also supposedly recognisable in one's physical appearance (Des Forges, 1999: 3). Prior to the genocide school children were divided in classes according to the ethnic affiliation of their parents as they did not possess identity cards. Even Hutu whose convictions led them to oppose President Habyarimana and the tenets of Hutu Power were directly targeted before and during the genocide.

The laws of movement, which embody the radical ideological contention with the other, seek to manufacture humans into superfluous subjects to become the living embodiments of the universal laws of Nature or History. This point raises the logical question as to what is the purpose of such a genocidal system when all significant opposition has been subdued; is not the apparatus of terror itself merely superfluous? Arendt answered this question by writing:

if they were capable of telling the truth, the totalitarian rulers would reply: The apparatus seems superfluous to you only because it serves to make men superfluous (Arendt, 1968: 457).

To understand the essence of totalitarian government one must comprehend that genocide is a means of achieving this transformation of the human condition into superfluous subjects of ideological goals that can be fulfilled only if these subjects become behaviourally malleable—that is, become the living embodiments of the laws of movement.

The eradication of public space that once enabled humans to distinguish themselves becomes replaced by a system which employs genocide instrumentally to achieve a societal design that equates humans with universal forces. This equation is manifested by the reformulation of law into a force of movement that professes to realise the elite's principles of societal design, one congruent with the underlying forces of mankind. Arendt's concept of public space is thus a helpful analogical measurement with which to gauge the destructive forces of totalitarian government and the systemisation of terror through genocide. I have shown through Arendt's theory of totalitarianism that genocide, as it operates in conjunction with the laws of movement, is antithetical to the function of traditional positive law-as-boundary since it enacts the laws of movement that collapse the walls of political space. As opposed to the above examination of law's general function for political space, it is now necessary to demonstrate the immanent political divergence between genocide and positive law.

*Law, Spontaneity and Genocide: A Post-Durkheimian Social Order*

Arendt never devoted significant attention to the specific exploration of the key juridical discrepancies between totalitarian law and positive law. However, in one specific passage she did touch upon a juridical concept that made this distinction more significant. She argued that totalitarianism does away with the traditional notion of law because it fundamentally rejects the principle of *consensus iuris*. This principle, according to Cicero, was what constituted “a people” and has served as a cornerstone for not only domestic, but also international law even during times of war (1968: 462). Traditional criminal law, for example, presupposes a basic background of community consent—indictments for criminal offences in the United States always begin with the phrase ‘*the people of the State of...vs.*’ Even though the consensus of a community may disagree with the particular judicial decision, criminal law operates on the grounds of consensus where the criminal can be judged within a system called ‘law’.

Emile Durkheim’s sociological theory of criminal law relates closely to this concept of *consensus iuris*. Durkheim employed a functional theory to account for the stability of criminal law in society. He suggested that criminal punishment serves to reinforce a society’s *conscience collective*—the consensual moral sentiments of a society. The *conscience collective* is the moral foundation of a community that is analogous to a juridical consensus (*consensus iuris*) in that both are founded upon the power of basic consent, one on moral and the other juridical grounds. Durkheim saw that criminal law was not merely a foundationless apparatus of the ruling classes, but a ritualised procedure that has a strong basis in a consensual society. In this sense, the *conscience collective* is the predicate for *consensus iuris* since the right to judge the criminal derives its basis from common moral sentiments. When criminal law is transgressed an offender is prosecuted and sanctioned in line with the codes that represent these moral sentiments. Punishment thus constitutes “an emotional reaction” where society seeks “to defend itself” by clarifying and reinforcing the boundaries of moral sentiment (Durkheim, 1983: 59, 60).

Punishment, however, is not only vengeance for a transgression, but also, more importantly, an “*expiation*” of the violation itself (1983: 61). This is demonstrated by the fact that proportionality of punishment (making the punishment fit the crime) is a cornerstone of criminal sanctioning. This reveals that the criminal must suffer in equal measure for the injury he has inflicted upon society. The purpose of sanctioning is thus

to restore the sanctity of the moral order, rather than destroy transgressors. Thus, punishment is “an act of vengeance, since it is an expiation. What we are avenging, and what the criminal is expiating, is the outrage to morality” (1983: 62).

The moral basis of punishment demonstrated by its proportionality and desire for expiation means that the criminal is therefore not a parasitical element that is to be eradicated. If he represented such an element, it would make little sense to grade punishments and give ‘criminals’ any leeway to operate. Rather, Durkheim insisted that the criminal is a “normal” aspect of social life in clarifying and reinforcing our moral consensus. Durkheim writes that

Contrary to current ideas, the criminal no longer appears as an utterly unsociable creature, a sort of parasitic element, a foreign, inassimilable body introduced into the bosom of society. He plays a normal role in social life (1983: 75).

Here we can see how this aspect of criminal law differs radically from the genocidal contention against the other. In cases of genocide, states see themselves embroiled in a battle not for morality and law, but for the purity of society where the law-as-movement advances the causes of Nature or History where the goal is not expiation of sinful action or crime, but the *extirpation of vice* from a milieu that is susceptible to contamination. Crimes, as Durkheim has shown, are to be punished and the criminal expiated for the sake of society’s *conscience collective*, whereas a vice is representative of an incorrigible nature that can only be exterminated for the purposes of sanitary purity.

For Arendt, this distinction between crime and vice characterised the kind of anti-Semitism which enveloped European Jews before the war, and later proved to be catastrophic as devices of Nazi rule. She writes:

As far as the Jews were concerned, the transformation of the “crime” of Judaism into the fashionable “vice” of Jewishness was dangerous in the extreme. Jews had been able to escape from Judaism into conversion; from Jewishness there was no escape. A crime...is met with punishment; a vice can only be exterminated (Arendt, 1968: 87).

Durkheim’s argument that criminal law and punishment are largely founded upon moral sentiments reveals that genocide occupies and arises from a different kind of social order, one not based upon a consensual “society of his peers” (Durkheim, 1983: 62). When we recognise that crime is normal, expiation of the criminal begins to make greater sense as a necessary function of a society’s moral stature. When Durkheim wrote that “punishment results from crime and expresses the manner in which it affects

the public conscience”, he was assuming a spontaneous public sphere where there exists a functional, yet antagonistic confrontation between crime and social sentiments in which the latter are reinforced and clarified by public sanctions (1983: 121). Thus, a moral spontaneous discourse of punishment is incompatible with the language of contamination as it applies to organic groups because any kind of spontaneous public space that may treat the other as a subject whose actions may be expiated is excluded under a language of contamination.<sup>6</sup> Under this grammar, contamination is void of any functional value and can only halt the advance of the laws of movement.

Thus, a central reason why these discourses are incompatible rests upon the divergence between the law-as-movement and the law-as-boundary. The law of movement is a proscriptive enterprise which creates categories where peoples are determined for what they are, which demands continual modification, whereas the law-as-boundary is dependant upon forms of contravention which are judged individually according to subjective action. The procedures and central concepts of criminal law thus serve for the most part to restrain the power of the state in relation to individual action, yet still provide a basis for establishing norm of conduct. The state is only permitted to try the accused for acts which he has committed as they violate established criminal statute. *Mens rea* (the mental element of criminal intent) and *actus reus* (the material element of transgression) are the two concepts that correspond to this function of law-as-boundary that restrains and redirects the power of the state.

Genocide, on the other hand, transcends the basis of positive law concerning the victim and the perpetrator. The victims of genocide are seen as representations of peoples and/or cultural patterns that contaminate the social body because they are ill-constituted and perpetuate this ill-constituency. Thus, this grammar of representation is segregated from individual action by virtue of their origins in Natural or Historical processes. *Mens rea* and *actus reus* are incompatible features of law-as-movement because they presuppose features of individual action and transgression, whereas

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<sup>6</sup> Even when Durkheim did speculate that society may be changed at its basis by the means of force where its own societal “rules [become]...the cause of evil” (Durkheim, 1997: 310), his only warning was that such a pathological state of affairs may arise in a condition of the “forced division of labor” (1997: 312). This is where constraint and regulation, “no longer corresponding to the true state of affairs and consequently without any moral foundation, is only maintained by force” (1997: 312). The division of labour is forced, as under conditions of class repression, when the congruence is “broken between the aptitudes of individuals and the kind of activity allocated to them” and where such an incongruent state of affairs can only be contained by a violent constraint that binds individuals to these positions (1997: 311). Yet, what is experienced by subjects under totalitarian domination barely compares to a division of labour that is forced, as under conditions of class repression.

victims of genocide are destroyed not for their actions, but for inherent traits of a Natural or Historical propensity to behave in ways that cannot be changed. I will examine this specific grammar in greater political and anthropological detail in the next chapter, yet what is evident here is that law-as-movement differs radically from customary criminal law in another additional sense.

Another divergence is also evident when one considers the concept of proportionality in light of the extreme violence of genocide. What the perpetrators of genocide fundamentally destroy is the principle of proportionality that underlies the notion of justice manifest in criminal law. Following Montesquieu, Cesare Beccaria suggested that “every punishment which does not derive from absolute necessity...is tyrannical” (Beccaria, 1986: 8). Beccaria argued that there must be “obstacles that restrain men from committing crimes” and that these barriers “should be stronger according to the degree that such misdeeds are contrary to the public good and according to the motives which lead people to crimes” (1986: 14). Punishments, Beccaria argued, must therefore be proportioned to the seriousness of the offence. In other words, the state is restrained by the principles of proportionality as to the application of punishments. However, the extremity of genocidal violence committed by a state government against a *de facto* powerless group bypasses the principle of proportionality contained in criminal law and exemplifies the unbridled exercise of authority. The states conducting genocide thus betray the law by exacting violence against a group outside of the realm of law, where proportionality once functioned as a mitigating feature of state authority. These ‘man made’ restraints, such as the proportionality principle in criminal law, run contrary to the totalitarian version of law as movement that is based upon principles dictated by Universal forces.

As totalitarianism promises to liberate law from the interventions of man by unleashing the natural laws of History or Nature, it completely bypasses the principle of *consensus iuris* and other central features of criminal law. The laws of movement which conflict with the principles of positive law profess to speak for the principles of justice that derive not from action or mankind, but from Man as the embodiment of universal supra-human forces. These universal forces are the first principles that presuppose any artefact or human institution. This means that any reliance upon ‘valid law’ as determined by *consensus iuris* would naturally conflict with the ‘Natural’ ethics of Man as interpreted by the total state.

In practice this entailed that the Nazis had little concern for the laws and regulations they themselves had issued, because even structural procedures of positive law could no longer govern the operations of the secret police and party institutions. Instead, Nazism, like other genocidal governments, organised and implemented their laws of movement directly through the agencies of the secret police. By this procedure, the public decrees could be used as a façade for their operations, and thereby preserve the relative anonymity of their actual sources of authority. The totalitarian states of Nazi Germany and Stalinist Russia both maintained the façade of positive law by passing laws and decrees that in no way covered the operations of the secret police and other party agencies responsible for genocide. Arendt suggested that the Russian “constitution of 1936 played exactly the same role the Weimar constitution played under the Nazi regime: it was completely disregarded but never abolished” (Arendt, 1968: 395). This indicates that the policy of genocide, as primarily organised and implemented by the forces of the secret police, operated in a state of exception which suspended the law’s application to all the actions of the secret police thereby allowing them to operate under a new kind of order determined by the laws of movement.

This rejection of the concept of *consensus iuris* entails that the space enabling a public conscience has collapsed between the individual and state under the force of genocidal operations that realise the human embodiment of law-as-movement. This operational space created for the *génocidaires* by the forced rejection of *consensus iuris* is completely at odds with the understanding of traditional criminal law and punishment. The collapse of a spontaneous public sphere, which was, in part, sustained by the law, enables genocide to be conducted as an expression of Natural or Historical forces which resemble law. How this collapse is technically possible and what it entails will be explored in the next section. The important point established here is that genocide’s radical divergence from positive law means that the boundaries which protected the political sphere are replaced by a law of movement that collapses the public conscience (Durkheim’s *conscience collective*) by excluding spontaneous actions which may restrict the forces of Nature or History. The suspension of positive law, which enables governments to redesign society through systematic destruction, does not mean that totalitarian governments are lawless. Rather, totalitarian governments operate within the laws of movement which constitute *a new paradigm of ‘law’ without legality* where the other is decimated by an organisational force that

continually animates its own *sui generis* laws based upon principles which are distinct from and contradict positive law.

Changes to law and politics are thus essential categories for uncovering the possibility of genocide and the full extent of its effects. The unique brilliance of Arendt's theory is that she gives us a detailed historical account of how the central features of totalitarianism crystallised into a new kind of government by virtue of how it operated in terms of law (incessant movement), policy (terror by eradication) and political space (elimination of plurality). What Arendt unfortunately does not explore is the technical details of how the law can be transformed and united with a policy of genocide. It is to this investigation that I now turn.

*'Law' without Legality: Genocide in the State of Exception*

To articulate the operational space of genocide beyond positive law it is necessary to examine the state practice of juridical suspension. Arendt's brief, yet fruitful discussion of totalitarian law directs us towards theories that concern the state of the exception—the decision taken by an authority which suspends the constitutional order. Carl Schmitt's exploration of this practice of government revealed that this suspension of the entire juridical order, for reasons of practical emergency, is based upon the sovereign decision that entails "a relation to a juridical context" (Schmitt quoted in Agamben, 2005: 33). This is because, Schmitt suggested, "the state of exception is always something different from anarchy or chaos, in a juridical sense, as an order exists in it, even if it is not a juridical order" (2005: 33). Yet, Schmitt's goal was to reveal the links between the state of exception and the juridical order by virtue of the sovereign's power to decide on the state of exception. The sovereign's decision to suspend the application of the law in a state of emergency supposes an inability to define *a priori* what may constitute an 'emergency'. The ability to decide is thus predicated upon the practical circumstances confronting the state that cannot be detailed ahead of time. This entails that the *decision* to suspend the law is the nexus which grounds the sovereign as something akin to the "living law" (Agamben, 2005: 70). This is possible because it presupposes that the norm is only applicable by the decision to enforce it practically. This means that the application of a norm is nowhere entailed within the norm itself and requires some other, in Schmitt's view, sovereign force to apply it. Without an internal drive that emanates from within the norm itself, a

norm's practical application is reliant upon a notion of sovereign authority, who by virtue of this power, retains the authority to both enforce and suspend the law's application. On one level, the decision on the state of exception is thus a suspension of law's application that marks it as a threshold between a proper juridical space and a topography of anomie (normlessness). Agamben writes that:

...the state of exception is the opening of a space in which application and norm reveal their separation and a pure force of law releases (that is, applies by ceasing to apply) a norm whose application has been suspended. In this way, the impossible task of welding norm and reality together, and thereby constituting the normal sphere, is carried out in the form of the exception, that is to say, by presupposing their nexus (2005: 40).

This means that in order for the law to have any practical effectiveness there are times where the decision has to be made to suspend its application by the same authority that enforces the law. Yet, despite enabling an articulation between the state of exception and the juridical order, Schmitt's theory leaves us with a paradox. As Agamben has observed:

[Schmitt's theory] is a paradoxical articulation, for what must be inscribed within the law is something that is essentially exterior to it, that is, nothing less than the suspension of the juridical order itself (2005: 33).

The state of exception, as enacted by a political authority, is a situation where the orders of the sovereign are "juridical measures that cannot be understood in legal terms" as they exist in a situation where the law's application is suspended (2005: 1). Thus, the state of exception appears as a legal form, where the sovereign issues decrees with the binding force of law, yet without a traditional legal form. What Schmitt's paradoxical articulation entails is that the sovereign's power of decision to declare a state of exception is the nexus that unites the two fundamental elements of law: norm and application. The sovereign's power of decision to suspend the constitutional order thus guarantees its juridical anchorage to the law by virtue of a decision in an exceptional situation. Since the decision can be made to annul the juridical order, this state of exception "represents the inclusion and capture of a space that is neither outside nor inside (the space that corresponds to the annulled and suspended norm)" (2005: 35). This is why Schmitt can write that "the sovereign stands outside of the normally valid juridical order, and yet belongs to it, for it is he who is responsible for deciding whether the constitution can be suspended *in toto*" (Schmitt quoted in Agamben, 2005: 35). Schmitt attempts to give the state of exception a juridical context

through a nexus grounded in the sovereign decision, even though this meant that the rule of law “lives only by the exception” (Schmitt quoted in Agamben, 2005: 58). Sovereign authority as one who decides on the exception is thus defined by being the exception to the juridical order, yet is also its living embodiment.

Topologically the state of the exception is, as Agamben writes, really “defined by the oxymoron *ecstasy-belonging*”, a place where the sovereign is both inside and outside the juridical order at the same time (2005: 35). The state of the exception, therefore, “introduces a zone of anomie into the law in order to make the effective regulation of the real possible” (2005: 36). Thus, Schmitt’s attempt was to “inscribe the state of exception *indirectly within a juridical context* by grounding it in the division between norms of law and norms of the realisation of law” (2005: 50; emphasis added). To contend with Schmitt’s paradox Agamben suggests that it is necessary to break the legal link between the state of exception and the law and “define the meaning, place, and modes of its relation to the law” (2005: 51).

Agamben suggests that Schmitt’s theory fallaciously attempts to link the state of exception with the law, when in actuality,

the state of exception is not a dictatorship (whether constitutional or unconstitutional, commissarial or sovereign) but a space devoid of law, a zone of anomie in which all legal determinations—and above all the very distinction between private and public—are deactivated” (2005: 50).

The state of exception is thus a space that is completely anomic (normless) and thus any attempt to annex an inherently normless sphere with the law is fallacious.

Agamben sees this space of the exception as a problem for law where the law, as being parasitical upon authoritative force, can be extended into new spaces beyond what was traditionally open to legal regulation under normal conditions. For Agamben this means that the law is attempting to entertain a fiction or “mystical element” in attempting to annex or lay claim to a sphere where the law cannot exist. By permitting law to be negated by a sovereign decision, the “law seeks to annex anomie itself” through its link with authority (2005: 39). The force of law reaches into situations that are inherently ungovernable. By virtue of a state of exception an organisation of pure violence without a formal legality attempts to bring order to a space that is fundamentally normless. Agamben’s contribution to an understanding of the state of exception is insistent upon “the separation of “force of law” from the law” as being a central problem confronting the law, rather than being an issue solely of state power,

that is, of a constituent authority whose violence embodies law (2005: 38). On the one hand, the state of exception defines a “state of law” where the constitutional order is in place, but is not applied (it has no force), and, on the other, it creates the space for decrees that do not have the formal efficacy or value of law, yet they still acquire a binding significance or ‘force’.

This violently regulated, yet legally anomic space of the exception is the operational topography of genocide. Genocide receives its law-like character without the formal legal restrictions of a constitutional order, from an authority that fallaciously embodies the force of law. In other words, the state of the exception is the operational space of the secret police organisations that receive their orders from an authority that represents the fallacious image of the force of ‘law’. What the state of the exception leaves open for reclamation is “a force of law without law” that may be assumed by a state authority or a revolutionary organisation (2005: 39). The indiscretion that naturally exists between the norm and its application, which normally sustains the law’s functioning, is exploited by an authority underpinning law’s application, which has, in our current political circumstances, its manifestation in the monopolies of violence—states and revolutionary organisations. Yet, the space opened by the state of exception enables a policy of genocide to operate unhindered by constitutional law, thereby liberating the forces of law to confront the emergency ‘threats’ that confront the body politic.

In light of my discussion of totalitarian law, Agamben’s argument suggests that the force of law, as wielded by the sovereign, occupies “the threshold of indifference” that exists between anomie and law (2005: 73). However, what Agamben’s approach neglects to add is that the state of exception brought about by an authority also relates to and possesses a law governed character as exemplified by totalitarian regimes. Agamben is correct when he suggests that the “biopolitical character of the paradigm of *auctoritas*”, as exemplified by the modern phenomena of sovereignty, “attains its appearance of originality from the suspension of the juridical order” (2005: 85). Yet, what accompanies this suspension is the creation of a new ‘law’ imposed by the apparatuses of the state that would be allowed to operate freely according to the Universal forces of ‘Nature’ or ‘History’. This ‘law’ attempted to regulate spheres of human life by imposing a systemic order of violence designed to realise these Universal forces. The state of exception thus represents not an “empty space, in which

a human action with no relation to law stands before a norm with no relation to life”, but an opportunity for an authority to bring about a new vision of law with a foundational basis in the Universal that cannot be disrupted by human action (2005: 86). Whilst it may be advantageous to deconstruct the “fiction” that allows the state of exception to function, by transforming the “juridico-political system...into a killing machine”, the authority bringing forth this transformation can also suspend the law not so as to ensure its proper functioning, but to realise a new form of law without a basis in *consensus juris* (2005: 86). Since an authority represents the force that has the ability to apply and thus suspend law, the state of exception is the technical mechanism for governments to transform and *reapply* law in new and more radically violent ways.

The Nazis, for example, never bothered to formally abolish the Weimar Constitution because its applicability was suspended in a state of emergency following Hitler’s assent to authority. On February 28, 1933, Hitler proclaimed “the Decree for the Protection of the People and the State”, which suspended the article of the Constitution concerning personal liberties (Agamben, 2005: 2). From this point forward, the Third Reich operated under a state of exception that lasted for twelve years. This state of exception is the central procedure that enables the other’s total elimination. As Agamben writes:

...modern totalitarianism can be defined as the establishment, by means of the state of exception, of a legal civil war that allows for the physical elimination not only of political adversaries but of entire categories of citizens who...cannot be integrated into the political system (2005: 2).

When the other becomes a central feature of characterising groups that ‘cannot’ or ‘should not’ be integrated into a polity, the state of the exception, enacted by a sovereign decision, releases the normative restraints upon authorities who employ violence that collapses the juridical topography. The state of the exception has the potential to become the zone within which the other is destroyed. *The pure violence unleashed in the state of exception releases the policy of genocide from the boundaries of positive law and is instrumentalised as the dynamic embodiment of a vision of design.*

This ability to declare a state of exception is a juridical fallacy that enables the policy of genocide to have the force of ‘law’, without any formal and traditional legality. This does not mean that following the state of exception those responsible for atrocities cannot be held accountable by the restored or reconstituted legal order. The

precedence to hold ‘emergency actions’ committed in a state of exception accountable to law dates back to Roman times, and does occur today in rare circumstances.<sup>7</sup> Yet, it is important to note here that it is technically possible for organisations of violence to operate outside the juridical order in a state of anomie and attempt to colonise this space by reference to a new kind of law without legality.

### *The Limits and Convention of Law*

In summary, there are two important conclusions to be drawn from the preceding examination of law and genocide. The first point is that the state of exception *technically* opens the way for state authorities to develop an organisation entirely unaccountable to the existing constitutional and legal order. The importance of Agamben’s work is that he examines this possibility from within the components of law itself to attempt to develop a theory of the state of the exception. In questioning how the law permits the space of exception to exist, Agamben reveals that the law is powerless to restrain executive authority due to how authority functions as a nexus that unites both norm and application by virtue of the power of decision. This means that the rights of man, which were supposedly inalienable, have proven “to be *unenforceable* whenever people appeared who were no longer citizens of any sovereign state” and where constitutional rights were suspended (Arendt, 1968: 293; my emphasis). This ability to suspend the rights of citizens under a state of the exception has become a permanent feature of all contemporary states, blurring the distinction between the exception and norm. *The permanence of the state of emergency, as a feature of states, indicates that the potential for genocidal ‘solutions’ is not restrained by the existence of domestic laws that ensure individual rights.* Once the state of exception has been declared, states or organisations with the intention to eliminate groups cannot be restrained by the principles of legality. The state of exception is thus a mechanism which allows a centralised force, once used to enforce the law, to suspend and abandon formal legality by opening the avenues for new forms of ‘law’.

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<sup>7</sup> The assassination of Roman citizens under a state of exception was punishable once law was restored, as with Cicero following the repression of the Catiline conspiracy. The genocide committed by Pol Pot’s Khmer Rouge has never been legally investigated nor prosecuted. No formal prosecutions, as of yet, have taken place in Argentina for the atrocities committed during the ‘Dirty War’ despite attempts by civil rights activists.

The other point to be gleaned from this discussion is that totalitarian governments express the need to describe the policy of genocide as a radical measure that is congruent with a reinterpretation of 'lawfulness'. As Adolf Eichmann never tired of saying, "the words of the Führer have the force of law" (Eichmann quoted in Agamben, 2005: 38). The reason why genocidal states acting in an anomic space seek to reclaim 'Law' is that there is an inherent need to operate the state, even in circumstances of extreme violence, with an inherent and underlying legitimate order of 'Law'. The radical and perverted policy of extermination enacted by governments never abandons the image of a lawful order. The image of a universal Natural or Historic order is, rather than a random feature of totalitarian propaganda, a constituting feature enabling the state's menacing radicality in its drive to redesign society through the extermination of the other. This 'faith' is not grounded in the tenets of an ideology, but is rather based upon the desire to operate within a logical and consistent order. Identifying this underlying legitimate order of 'Law' relates not to expediency which may serve to enable collective assumptions that co-ordinate an organisation of violence. Rather, this basis in law is an inherent disposition that constitutes the hubris of those elite forces in their vision to reorder society. Žižek has called this kind of perspective the "symbolic big Other"—the thought that there is an underlying impersonal set of rules with which we should co-ordinate our existence (Žižek, 2002: 163).

A classic example of this comes from the legalists at the Wannsee conference in January, 1942, all of whom expressed the reservation of deviating from this universal legal order of Legitimacy. Their concern was never the nature of the genocidal measures, nor even less about its validity based in the anti-Semitic conspiracy, but rather the fact that the decision to exterminate the Jews did not fall within the legal order which constituted 'Legitimate' policy that would fall under a conventional understanding of Law. The state of exception as a technical measure served to negate the legalists' concerns over legality as the policy was conducted during a time when all constitutional obligations were suspended. To the legalist objections, Eichmann's statement that the sovereign's words carry "the force of law" in a state of exception thus negated these reservations over law and legitimacy.

In summary, my discussion of genocide from the perspective of law and politics has endeavoured to reveal the immanent divergences between a traditional

legal order and one performing the violence of genocide. This also entailed exploring the technical mechanisms within traditional law itself which enable a policy of genocide to operate in a state of anomie where law is suspended. The divergence between law-as-movement and positive law-as-boundary reveals that the tenets of genocidal ideology are proscriptive measures of design oriented by Universal ‘laws’ that supposedly stem from the organic existence of humanity. As the laws of movement are the embodied aspects of humanity, genocide becomes the method of realisation and clarification of these universal forces. The embodiment of these forces entails both the abandonment of positive law-as-barrier and a collapse of political space that was once supported by this function of law. As the laws of movement replace positive law, the collapse of space as a feature of the grammar of totalitarian design affects the human condition in specific ways; manners which destroy the capacity for political action. I now turn to the task of exploring the particular modalities of space that are collapsed by a policy of genocide.

### **III. Genocide as the Collapse of Space**

The common liberal interpretation of totalitarianism as put forth by Rummel and Horowitz, viewed this form of government as an abusive order in terms of a gross use of power and betrayal of human freedoms (Rummel, 1995; Horowitz, 2002). Adopting Arendt’s perspective I have argued that this ‘common sense’ position, as it attempts to explain genocide, grossly underestimates the impact of this new order of government. Arendt understood that confronting totalitarianism meant addressing the effects of genocide and terror by understanding them within a comparative political topography. From this perspective, Arendt rejected the standard liberal interpretation of totalitarianism by suggesting that such governments did not merely destroy the freedom and dignity of their victims, nor even humanity, but rather undermined the capacities of humans to inhabit a common world. Thus, the systemisation of genocide and terror served to undermine the common spaces that help constitute individuality in the world.

One such artefact is the thought that humans have “the right to have rights” (Arendt, 1968: 299). This capacity, which presupposes any specific constitutional declaration of rights, imbues humanity with the ability to bear rights inherently and thus grounds humanity as the source of law. At the time of their inception in 1789, the

consensus was that the rights set out in Declaration of the Rights of Man were 'inalienable' rights meant to protect individuals from the new powers of sovereign states and from other developing or competing forces within society. This sentiment is expressed best by Emile Durkheim when he wrote that

It is only through the state that individualism is possible...We might say that in the State we have the prime mover. It is the State that has rescued the child from patriarchal domination and from family tyranny; it is the State that has freed the citizen from feudal groups and later from communal groups; it is the State that has liberated the craftsman and his master from guild tyranny...And that is what justifies the increasing scope of its functions (Durkheim, 1957: 64).

The proclamation of these rights carried forth by the state were thus intended to signify that the source of Law derived not from God, or its symbiotic political order manifested by the divine right of kings, but from Man independent of the privileges bestowed by feudal history or divine authority. In other words, human rights provided the much needed protection in the new post-feudal order were individuals were no longer embedded and hence supported by the estates in which they were born. Yet, the historical rise of rights language arose out of the desire for a representative government that would be able to express the will of 'a people' rather than of the prince. The abstract figure of Man became sovereign in matters of law just as 'the people' proclaimed their sovereignty in matters of government. As 'the people' became enshrined in representative government, the 'inalienable' Rights of Man became grounded in the right of the people to possess this ability of self-government. The Rights of Man, which were supposedly inalienable, as they were independent of all governments, became blended with the question of self-government. Thus, rights proved to be unenforceable the moment when individuals lost their own governments. This meant that representative governments became, as I have discussed previously concerning the state of exception, the force behind law's application. This entails that the image of man became inexorably interwoven and socialised within a concept of 'a people'. Arendt writes that

The whole question of human rights, therefore, was quickly and inexorably blended with the question of national emancipation; only the emancipated sovereignty of the people, of one's own people, seemed to be able to insure them. As mankind, since the French Revolution, was conceived in the image of a family of nations, it gradually became self-evident that the people and not the individual, was the image of man (Arendt, 1968: 291).

The Rights of Man were supposed to serve as a relational barrier between government and other social factions. Yet, what demonstrated this failure was the systematic appearance of stateless persons. Without a government to ensure a minimal standard of rights, stateless persons found that they had lost their place in the world since no governments were willing to extend basic rights to non-citizens.

The loss of the capacity to have rights was thus possible by making ‘the people’ of representative government the sole arbiter of law’s application. In other words, as states were given the powers to ensure individual rights this also allocated them the ability to suspend rights. This power of suspension entails that the individual can be denied a public or political identity and thus collapses a space where individuals can constitute themselves through expressing opinions with others. With the artefacts of law and rights suspended in a state of exception, these governments collapse the capacities of individuals by suspending rights and imposing an architectural model designed to reconstitute society. Governments have developed specific kinds of violent interventions designed to negate the capacities such as rights and political action.

Arendt suggested that the concentration camp was the institution that best expressed the character of totalitarianism because, as ‘laboratories’, they represented the radical and perverse effort to change the physical shape of human nature by destroying the capacity for action and forcing victims to behave regimentally according to ideological rules. Yet, from a historical perspective of genocide, industrial mass murder has not been a favoured method of extermination used by states. The Nazis, particularly earlier in the genocide, used methods of destruction that were far from industrial, much of it being done by firing squad or by creating conditions conducive to death by attrition or disease. The modern industrial pattern of genocide, in which the Holocaust stands as the exemplary case, is in that sense at least not the paradigmatic exemplar of genocide to which all later methods of genocide are to be measured. Acknowledging this point does not detract from the argument that genocide is contingent upon and also manifests a collapse of space. Rather, the roads to systematic destruction and the annihilation of entire groups itself undermines the most basic human capacities of the victims through a variety of strategies.

Arendt indicated in a topographical manner what kinds of capacities are collapsed by conducting systematic annihilation; in what she referred to as the three stages in “preparation of living corpses”—humans stripped of all their worldly

distinctiveness (Arendt, 1968: 451). The first concerns, as I have indicated, the capacity of humans to be rights-bearing subjects: “the first essential step on the road to total domination is to kill the *juridical person* in man” (1968: 447; my emphasis). Conducting genocide under totalitarianism sought to ‘prove’ and ‘demonstrate’ that the inalienable Rights of Man were nothing more than a liberal fiction that could easily be destroyed. By revealing rights to be nothing more than an artefact derivative of weak sympathies associated with rival political systems, genocide could operate as a method by which to stress the importance of supra-natural forces for totalitarian government. By destroying this capacity to have rights, the systematic destruction of peoples becomes not only possible, due to the lack of any safeguards and boundaries that ensure the space between state and subject, but also because the Rights of Man are shown to be nothing in comparison to the eternal forces of nature that ‘genuinely’ embody humanity. The important point concerning the capacity to have rights is thus that before the right to existence can be questioned, a condition of rightlessness must be established.

The second stage in this collapse concerns “the murder of the *moral person* in man” (1968: 451). This is accomplished by “making martyrdom, for the first time in history, impossible” (1968: 451). The perverse, yet skilled, techniques of genocide developed by the SS made it possible to corrupt social solidarity. By making the daily functioning of the death camps dependant upon the cooperation of its victims, the organisation of genocide robbed the inmates of any milieu that could nurture moral conscience and hence resistance. The instinct for individual survival meant that it was better to commit injustice and stay alive rather than simply become an unknown victim. Without any witnesses to testify to the circumstance of their demise, a victim’s death is robbed of any memory and hence meaning for the community.<sup>8</sup> The key feature of this collapse into superfluosness was the anonymity of mass death. This was accomplished by the scale and secrecy of human destruction that accompanies genocide. The scale and secrecy of mass atrocity meant that any attempts at heroism would never be remembered because all the victims were doomed to perish sooner or later. Rationally, there was no point to resist when the likelihood of success or remembrance was removed. For Arendt, the systematic crafting of this sceptical

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<sup>8</sup> For a discussion of the impossibility of testimony see Agamben’s discussion of the ‘Musselmann’ (Agamben, 1999).

sentiment in the camps was “the real masterpiece of the SS...Their great accomplishment” (1968: 451). Without any social meaning in a world, gestures of good will and heroism lose their significance and decisions of conscience become absolutely questionable. With the certainty of death secured in the minds of victims, the subjective choice becomes a question not between life and death or “good and evil, but between murder and murder” (1968: 452). To extend the complicity of mass murder to the victims themselves meant that there was no guilt-free escape from the system of destruction; the best one could hope for was personal survival. The systematic destruction of genocide created conditions where friendship or heroism (that is, questions of moral conscience) became completely equivocal. Without a community that is capable of remembrance, death signifies that individuals never really existed.

The third stage in the process concerns the killing of individuality and spontaneity. The most significant accomplishment of the camp system was that it destroyed the individual spontaneity “to begin something completely new...that cannot be explained on the basis of reactions to environment and events” (1968: 455). This capacity to act, which Arendt termed *natality*, was the key component of human freedom and political action. The system of genocide accomplished the eradication of *natality* most fully inside the camps by removing all traces of their distinct individuality. By conducting genocide *en masse* using the methods of transportation, the removal of belongings, imprisonment and execution, annihilation served to remove any signs of distinction that expressed individuality. Thus, the organisation of genocide dealt not with individuals, but individual expressions of a kind of population or group category.

At this juncture the efficiency of mass slaughter and the destruction of individuality merge in line with the laws of movement. Victims are treated equally as objects of a category that transcends the features of their individual character and are placed in degrading circumstances that functions to reinforce this perception. Merit, wealth or social status are trumped, or may even be employed in the service of a policy of genocide which functions to confirm ideological categories. In the camps, Primo Levi witnessed how the conditions of life gradually destroyed the human features of individuals of diverse backgrounds, reducing them to beings who reacted only to the principles of survival (Levi, 1996: 90). With each individual subject to conditions that

erode the capacity to act spontaneously as an expression of their distinct character, the victims of genocide are compressed into becoming the embodiments of a mass category.

### *The Superfluosity of the Executioners*

Destroying the juridical, moral and individual capacities of man in the victims also called for, Arendt suggested, the creation of the “One Man of gigantic dimensions” that also compromised the humanity of the executioners (Arendt, 1968: 466). She claimed that the laws of movement transformed human material into two categories (executioner and victim) which were designed to accelerate the force of Nature or History in a logical and consistent manner. This entailed that the executioners must also lack any spontaneous will or conviction that might obstruct the horrific demands these laws. This is what Arendt meant when she suggested that the totalitarian system of government is designed to make *all human action* “superfluous” in the service of its laws.

Arendt’s analysis of Adolf Eichmann highlighted the point that totalitarianism sought to use or transform even the most banal subjects into the roles embodying supra-natural forces. In her correspondence with Carl Jaspers, Arendt (1993) became convinced that the Nazis built their system of government not on some “radical evil” that could not be grasped by human understanding, but rather upon the systemic development of convictionless subjects who rejected any motivation outside of private concerns. This judgement pertaining to the motivation of the perpetrators was extended to mean that there was *no single ideological motivation* to be grasped by any in-depth examination of the executioners involved in a policy of genocide. These governments selected executioners like Eichmann who were reliable and “thoughtless” subjects who would interpret the nature of Hitler’s orders without compromise or spontaneous deviation (Bernstein, 1996a: 142). The notion of the “banality of evil” was seen by Arendt as a new concept of evil that departed from the history of traditional evil actions based upon identifiable demonic motives. With Eichmann, Arendt suggested that his horrific deeds did not correspond to any demonic motives. For Arendt, this created a gulf of accountability between the horrific deeds and the noticeable lack of demonic motives in the mind of the doer. When confronted with Eichmann she wrote that:

I was struck by a manifest shallowness in the doer that made it impossible to trace the incontestable evil of his deeds to any deeper level of roots or motives. The deeds were monstrous, but the doer—at least the very effective one now on trial—was quite ordinary, commonplace, and neither demonic nor monstrous (Arendt quoted in Bernstein, 1996a: 141).

The conclusion that Arendt reached in bridging this gap between deed and doer was attributed not to his ideological conviction, which was absent, but to his banal “thoughtlessness”—his *incapacity to think and judge the impact of his actions*.<sup>9</sup> This thoughtlessness is not a feature unique to Nazism, but was also a prevalent feature of Stalin’s *génocidaires*. Nikolay Bukharin wrote concerning the Ukrainian genocide that,

The worst result of the events of 1930-33 was not so much the sufferings of the peasantry, but the deep changes in the psychological outlook of those Communists who participated in this campaign and, instead of going mad, became professional bureaucrats for whom terror was henceforth a normal method of administration and obedience to any order from above, a high virtue...[this indicated] a real dehumanization of the people working in the Soviet apparatus (Conquest, 1986: 343).

The system of genocide became possible because it rested upon and created convictionless subjects—the gigantic “One Man”—who could “all behave like the dog in Pavlov’s experiments” and be able to embody and execute the laws of movement as if they were all identical persons without conscience (Arendt, 1968: 455). The executioners of these laws could be motivated by ordinary desires for money, status, job satisfaction or personal/prejudicial vengeance. This observation is supported by current research into the motivation of lower level *génocidaires* in the Holocaust which revealed the absence of any universal social or ideological convictions, unlike those in elite positions within the ruling hierarchy (Browder, 2003).

In summary, only by considering the three deaths of subjectivity and the character of the executioners does the importance of a theory of genocide as the collapse of space gain its full force. The collapse of space thus applies however unequally to all those involved in the system of destruction. All those with spontaneous moral convictions would prove to be too unreliable to serve as the executioners of the laws of movement, just as those spontaneous individuals who took great risks to save others do not signify the many victims of genocidal violence. *This examination entails thus that for systematic genocide to occur there needs to exist a collapse of the spaces surrounding and constituting the human condition.* Without reliable victims and

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<sup>9</sup> This analysis of Eichmann inspired Arendt to undertake her last (unfinished) major work titled *The Life of the Mind* concerning judging, willing and thinking.

executioners a systematic genocide organised by a state would become almost impossible to implement. Another question that must be faced for an investigation of genocide is how much of Arendt's analysis of totalitarianism still applies to contemporary cases of genocide.

### *Exemplars of Topographical Collapse*

In Rwanda, the creation of this 'One Man' (divided into its two roles as executioner and victim) meant that familial relations, commercial bonds and neighbourly friendships were no guarantee against being killed as a Tutsi or a Hutu 'conspirator' nor having to 'work' in support of the genocide. The Rwanda *génocidaires* were not unlike other 'ordinary' perpetrators of genocide as described by Arendt. Although a recent study has shown that many of the *avoués* (confessed *génocidaires*) used ideological language that expressed the core of extremist Hutu ideology, many of the 200,000 perpetrators also clearly took advantage of the war and genocide to settle personal scores, increase their social or economic standing, and/or committed atrocities out of an obligation to the government (Mironko, 2004: 51). Mironko writes:

The ordinary Rwandans I spoke to in the prisons did not kill Tutsi only because they were Tutsi, but for a range of reasons that included safeguarding their wealth from invading Tutsi, as per government propaganda. Many others killed to obtain wealth, as the genocide leaders promised that they could seize the property of their victims. Some Hutu killed in order to save their own lives. They were told that they had to kill or they would be killed, and examples were made of those who refused (2004: 59).

This 'ordinariness' of these motivational patterns is also demonstrated Verwimp's recent empirical study. He argues that it is not exaggerated to think of the genocide as a "labour market" centre for participation where people followed government orders out of economic self-preservation and gain (Verwimp, 2005: 321). He writes:

The poor, landless group...whose livelihood crucially depends upon the availability of off-farm low skilled jobs (mostly working on someone else's farm) and/or the chance to rent land from a landlord, were in a very vulnerable position. They *could expect to gain from participation* [in the genocide]: it has been widely documented that a large number of participants, mainly the rank and file among the perpetrators were very interested in the property of the murdered Tutsi. Among the property, land was a much desired asset (2005: 319).

This research suggesting that ordinary economic motives contributed to the Rwandan genocide is consistent with Arendt's banality of evil hypothesis that ordinary or banal motives (or even no motives at all) can be used to facilitate horrific atrocities. The restrictions placed upon labour in a state of exception meant that people would suffer

economically unless the new laws of movement inciting the destruction of Tutsi and Hutu conspirators were followed. The forces of the Rwandan state collapsed the space of ordinary economic opportunities in service of a *condition of expropriation* to be profited by *génocidaires* themselves. This condition of expropriation meant that the ordinary desires for economic gain or stability could serve rather than hinder the execution of the genocide.

This manufactured situation where ordinary motives of self-interest, common in civil society, are manipulated in service of genocide serves to create a disparity of motivational understanding. Conventional ‘common sense’ does not bridge this gap between common motive and horrific evil, because, as Arendt argued, *this kind of evil has no motivational depth*: there is nothing beyond what is ordinarily apparent. The lack of evil or demonic language by which the perpetrators of genocide might have used to convince themselves (and others) of the need to commit such extreme violence, means that for Arendt there is nothing to be found by questioning the content of their motives which may specifically account for genocidal behaviour. In a letter to Gershom Scholem, Arendt writes:

It is indeed my opinion that evil is never “radical,” that it is only extreme, and that it possesses neither depth nor any demonic dimension. It can overgrow and lay waste the whole world precisely because it spreads like a fungus on the surface. It is “thought defying,” as I said, because thought tries to reach some depth, to go to the roots, and the moment it concerns itself with evil, it is frustrated because there is nothing. That is its “banality.” (Arendt quoted in Bernstein, 1996: 138-9).

Any attempt at intellectual depth in such examinations always returns to the ordinariness of individual motivations that were employed in the service of genocide.

In Rwanda recent evidence has shown that ordinary language not only accompanied the killings, but did so in a manner that organisationally enabled the genocide. As Mironko observed, this kind of language was an established discourse “associated with hunting” and “signals...used to alert the community in danger” that served to facilitate the destruction of Tutsi (Mironko, 2004: 53). Under ordinary conditions these vocabularies served benevolent ends. Yet, during the genocide they became vocabularies that facilitated the mass killings. The collapse of the spaces in the Rwandan case meant that communities ceased to operate according to traditional morals and occupational roles. Instead, many (mostly young men) became executors of new laws without changing the common language and multiplicity of ordinary

motivations that were situated within an economic condition of opportunism. Thus, participants became the functionaries of government ‘work’ (the common euphemism for the genocide) that constituted a condition of expropriation which existed in the wake of genocide. Thus, what constituted the collapse of space, that is, what was excluded from acceptable public action was *not* the normal desires for economic or social gain, but rather the distinctiveness of self-sufficiency expressed by the skill of their trade under normal economic conditions. Rather than serve as distinctive producers of economic enterprise, the perpetrators were forced by the government or compelled by their own self-interest to become the executioners of a policy of genocide that built upon and satisfied ordinary social or economic motives.<sup>10</sup>

Other scholars investigating these distinctive spheres of social and political life recognise how the effects of terror and totalitarian laws undermine the substantive character of these spaces. Michael Walzer, in his investigation into the *Spheres of Justice*, suggested that the “maximum coordination” to eradicate the other directly contradicts the “differentiation” of various spheres of life (love, civic virtue, leisure, social welfare, etc) (Walzer, 1985: 316). The “complex equality” contained within these distinct aspects of life “is the opposite of totalitarianism”, since diversity can only mitigate the effective coordination of terror and genocide by mitigating the laws of Nature or History. By opposing the *Spheres of Justice* with totalitarianism, Walzer understood that the spheres of social life are areas that contain their own character by virtue of norms which can only detract from the Universals laws that ‘underpin all human behaviour’.

Arendt saw that the gap created between motivation and deed, where ordinary intentions are capable of enabling the horrific violence of genocide, cannot be understood by way of examining the perpetrator’s depth of thought. These examples

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<sup>10</sup> Just as in Rwanda, civic relations and motives, as well as the bonds of family life, did not provide any protection from the organisation of genocide under Nazism. Jewish spouses who shared the bonds of marriage and had families with their non-Jewish partners were also targeted by the policy of genocide. The story of Lilli Jahn, a Jewish doctor married to a Protestant physician, is a case where the bonds of family (the attachment to her four children) did not mitigate the genocidal contention with Judaism (Doerry, 2004). Despite her being interned and murdered by the Nazis only after her divorce from her husband, others like Lilli, who were still married to their non-Jewish men, were also interned and murdered. Lilli Jahn’s friend Lotte, who was also in this predicament, was saved by the good-will of a woman doctor, and only survived the genocide by being sheltered in a convent near Freiburg (Doerry, 2004: 255). These kinds of stories are indications that the coordinated efforts of genocide are accomplishable through the destruction of the spheres that constitute individual distinctiveness, which can only entail the collapse between the private and public sphere.

from Rwanda suggest that any retreat into other civic or private spheres do not entail any categorical protection from becoming a victim or a perpetrator. The lesson to be gleaned here is that genocide is not based upon a motivational sphere where the perpetrators are actually motivated by the forces of Nature or History. Rather, motivational language is not only stratified, as recent empirical research indicates, but it is also the case that genocidal governments actively create conditions where thoughtless and convictionless subjects perform their functions (as victims or perpetrators and sometimes interchangeably) according to the laws of movement. Genocidal authorities, through the technical implementation of force, collapse space by changing the conditions upon which ordinary vocabularies of self-interest operate.

*The Limits of Arendt's Theory of Totalitarianism for a Study of Genocide*

Despite the insightful depth of Arendt's investigation of totalitarianism and its relation to a policy of extermination, there are limitations to what her theory of totalitarianism can tell us about genocide. Examining these boundaries can illuminate what important areas of overlap between genocide and totalitarianism are in need of exploration. I will argue in this section that the paradoxes of genocide are implicitly identifiable within Arendt's theory, yet are not explored or openly identified for reasons relating to the kind of historical investigation of totalitarianism. I want to argue that it is necessary to extend the inquiry of genocide beyond the concern over its associations with a particular form of government. Thus, my efforts have been designed to shift the debates about genocide from a focus on the rivalry between totalitarianism versus democracy, to one based upon the distinction between the grammar of genocide versus authentic political action. Despite the great value of her theories of politics and totalitarianism, Arendt's substantive historical investigation limits the power of what her theory of totalitarianism can tell us about the policy of genocide. This is because what constitutes totalitarian government is the dynamic system of institutional terror that results in genocide, and not a kind of anti-political grammar that animates and 'legitimizes' the extermination of groups. This limitation comes to the fore when one examines and exposes the tension latent within a central feature of totalitarian government: anti-utility.

In her investigation of the concentration camps, Arendt fell short of revealing the paradoxical nature of genocide, despite acknowledging the anti-utility of the Nazi

system at the expense of the war effort. She argued that the camp system defied any commonsense utilitarian thinking because the genocide trumped all other priorities of the government. The flouting of commonsense is demonstrated by the camps'

anti-utilitarian function, the fact that not even the supreme emergencies of military activities were allowed to interfere with these "demographic policies." It was as though the Nazis were convinced that it was of greater importance to run extermination factories than to win the war (Arendt quoted in Bernstein, 1996: 92).

According to Arendt, the anti-utility of totalitarianism is expressed through the policy of genocide because it is based upon the perverse logic of ideological thinking. The logical purity of totalitarian ideology means that a policy of extermination makes precise sense if two attributes are present: 1) a certain system of "paranoiacs" is in place "where everything follows with absolute necessity once the first premise" that the other must be exterminated; and 2) a "pure" organic group is in danger of being contaminated by inferior groups or races (Arendt quoted in Bernstein, 1996: 92).

This explanation suggests that Arendt does acknowledge a utilitarian function for a policy of genocide that lies outside the boundaries of traditional common sense. From Arendt's perspective, totalitarian genocide is a betrayal of common sense if one assumes that government is about the aggrandisement of power. Yet, totalitarianism possesses a utilitarian function in service of their ideological "supersense"—the unquestionable and instinctual devotion to the validity of belief (Arendt, 1968: 458). This ideological description of genocide does, however, undercut the poignancy of her anti-utilitarian comments because genocide does have a utilitarian function for totalitarianism as it creates and justifies the government and society it seeks to establish. Arendt writes:

Without the concentration camps, without the undefined fear they inspire and the very well-defined training they offer in totalitarian domination, which can nowhere else be fully tested with all of its most radical possibilities, a totalitarian state can *neither inspire its nuclear troops with fanaticism nor maintain a whole people in complete apathy* (Arendt, 1968: 456; my emphasis).

This tension exists because the standpoint and purpose of evaluation oscillates between a perspective of common sense and one situated from the perspective of totalitarian government itself. Although Arendt does not resolve this tension, Bernstein argued that there is no discrepancy in characterising the system of genocide because its anti-utility is only "*apparent*" because what really concerned Arendt was how the camps functioned to make humans superfluous to ideological laws (Bernstein, 1996: 96).

This argument does not resolve the tension either, because the contradiction derives from the policy of genocide itself and not from the other aspects of the totalitarian state. Arendt's account retains this tension because what characterises totalitarian governments is their terror methods of genocide as they engineer human superfluosity. The mutually constitutive link between genocide and totalitarianism means that Arendt's approach avoids questioning the operational language of a policy of annihilation itself, treating genocide as an expression of totalitarian government. Thus, the paradoxical nature of genocide itself is not identified because there is no exploration of the kind of grammar that underlies this policy and how this language is contradicted by the conduct of genocide itself. What Arendt's approach provides is a crystallisation thesis about the structural rise of a novel form of government by analysing the conditions, purposes and destructive aspects of a system that collapses political space in order to manufacture human superfluosity. Thus, to better account for genocide and even perhaps to resolve this tension in Arendt's perspective requires that the notion of genocide must be uncoupled from the notion of totalitarian government.

Arendt explained the functions of the camps as a policy of genocide that qualified a new form of government which broke with the perspective of traditional politics. Therefore, to think of totalitarianism as being a form of government that is based upon the *libido dominandi* (the lust to dominate or rule) is a serious mistake that ignores the importance of its ideological laws of movement as being the essential expression and embodiment of this form of government. By revealing the importance of total domination as a tool for reshaping mankind through genocide, Arendt sought to show that the anti-utility of the system revealed the distinctiveness of totalitarianism as a new form of government departing from the perspective of traditional political historiography. The fundamental point here is that this apparent anti-utility falls short of revealing just how deeply paradoxical a policy of genocide is for perpetrating the government's own ideology, regardless of the government's form (autocratic, totalitarian or democratic). Instead, her focus was to address the "hidden structure" of totalitarian government as it was expressed by the terror created by the concentration camp system.<sup>11</sup> Overall, Arendt was concerned with "Twentieth-century *political*

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<sup>11</sup> In a letter to Carl Jaspers (Sept. 4, 1947), Arendt acknowledged that there had been a significant change in her thinking: "the third and concluding part will be devoted to the structures of totalitarian

developments” that have “driven the Jewish people into the storm center of events” and that finally resulted in the “emergence of the unprecedented crime of genocide in the midst of Occidental civilisation” (Arendt, 1968: *xiv*; my emphasis). Her primary focus was thus upon the novel political development of the time, namely the advent of totalitarianism.

The second feature of Arendt’s investigation that is limited concerning an investigation of genocide concerns the victims of totalitarianism. As Arendt’s investigation of the Jewish question was confronted through facing political developments, “political anti-Semitism” became the virulent kind of anti-Semitism which explains why the Jews became the central targets of Nazi policy (Arendt quoted in Bernstein, 1996: 54). To explain this political variant, Arendt goes into great detail about the historical rise of political anti-Semitism. The central point that matters for my purposes here concerns the fact that Jews became subject to political anti-Semitism in Europe at a time when Jews were rapidly losing public power and influence. Anti-Semitism thus became an “Outrage to Common Sense” because it appeared most explosive to the population at a time when Jews possessed no real political power (Arendt, 1968: 3). Thus, Jews came to be viewed as a politically isolated group that possessed wealth. Arendt accounts for this relationship by exploring the role of power present in the political culture of Europe. It became possible to persecute “powerless or power-losing groups” because “what make[s] men obey or tolerate real power, is *the rational instinct that power has a certain function and is of some general use*” (1968: 5; my emphasis). The fact that Jews *appeared* to European society as a group with “wealth without power” effectively made them targets of hatred (1968: 5). Wealth without function revolts society because this condition negates the bonds that hold society together by demonstrating that wealth only has personal significance. Arendt writes that

Wealth which does not exploit lacks even the relationship which exists between exploiter and exploited; aloofness without policy does not imply even the minimal concern of the oppressor for the oppressed (Arendt, 1968: 5).

Yet, despite this recognition of a “general rule” of totalitarian victimology, Arendt suggests that the importance of this targeting principle exists “only in order to refute

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states. I have to rewrite this completely because I’ve only recently become aware of some important things here, especially in regard to Russia” (Arendt quoted in Bernstein, 1996: 89). These “important things” she refers to are the preponderance of the concentration camps.

those recommendations of common sense which lead us to believe that violent hatred or sudden rebellion spring necessarily from great power and great abuses” (1968: 5). Thus, Arendt is dismissive of these kinds of general rules because they are abstracted from the historical contexts and stories which give them meaning.

What Arendt overlooks here is the existence of the victim paradox as a way of identifying the family resemblances that exist within the architectural grammar of genocide as a policy. Other than an investigation into political anti-Semitism there is no examination of just how important the general language of genocidal victimology is in seeking out and destroying the ‘power’ of the powerless as a distinct strategy of government. Arendt’s perspective cannot give us a specific picture of genocide because it seeks to confront the nature of totalitarianism through a kind of historical storytelling that rejects the significance of “general rules” as it applies to her investigation of political anti-Semitism. Yet, what is puzzling about her theory of totalitarianism is that she does not relinquish the importance of identifying the family resemblances between historical instances of totalitarianism, despite the substantive and competing ideologies of Nazism and Stalinist Communism. This scheme thus seeks to qualify overarching resemblances with substantive historical analyses to explain the structure of totalitarian regimes without describing the resemblances of victimology present in the instances of Russian totalitarianism. Thus, Arendt never identifies the common traits that link the victims of genocide together, but focuses instead upon the political and institutional dynamics that were produced by a policy of extermination or “liquidation” (Arendt, 1968: 319).

Overall, Arendt’s theory of totalitarianism, despite its brilliance in giving us an insight into how a policy of extermination operates for totalitarianism as a novel form of government, does not give us enough insight into the policy of genocide and its central grammar such as to enable us to better account not only for the paradoxical nature of genocide, but also to enable us to understand it as a distinct strategy of government in dealing with the other. There is thus a need to investigate the architectural grammar of totalitarian language as it seeks to instrumentalise a policy of genocide. To give a more comparative middle-range account of a policy of genocide means addressing not only case histories, but also qualifying a new understanding of genocide as a collapse of space, by better revealing the linguistic schemes that specifically underpin a policy of extermination. In other words, it is necessary to

investigate the linguistic paradigm that informs the social and political thinking that underpins the desire to eradicate the other. This means that there are patterns of social and political discourse that can better account for the stability of genocide as a 'solution' to the problem-other which cannot be explained by historical coincidence nor governmental form. This position entails moving beyond the methodological idea, as demonstrated empirically by Rummel (1995), that governmental forms can tell us something important about the immanent operations of a policy of genocide.

### *Conclusion*

In this chapter I have argued for a new political and juridical understanding of genocide. I first premised this argument upon the antithetical divergence between genocide and two theories of political action. I suggested that genocide, as an organisation of force, is only possible if positive law is suspended, since the nature of organizing mass atrocity can only be accomplished where the boundaries separating and relating the citizen and state have been fundamentally reconstituted and collapsed by a new form of law without legality<sup>12</sup>. The central hypothesis was that this operation of force that destroyed the function of positive law-as-boundary constituted the first step in the collapse of political space.

I analysed this reconstruction in political and juridical terms. I first argued, in revealing a limitation of Carl Schmitt's theory, that the nature of force can constrain the political. I explained this limitation by discussing Arendt's distinction between power and force, and argued that the presence of force can fundamentally erode the sphere of politics by employing methods of deceit and violence. In this sense, genocide is the quintessential exemplar of force as it represents organisational violence whose purpose is to eliminate the potential of political action with the other. From Arendt's theory of politics and totalitarianism I showed how they constituted diametrically opposed systems of government, the former based upon a public space that avowed individuals to define *who* they are in communication with others, whereas the latter destroyed the public sphere by a system of terror and genocide that defined *what* people are by making humans superfluous to the forces of Nature or History.

In the second part of this chapter I argued that the policy of genocide, as it is characterised by a dynamic expansion of violence and reduction of space, should be

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<sup>12</sup> Cf. Judith Shklar (1986).

understood topographically. This meant that the forced manipulation of social and political institutions is interwoven with a language of design where humans become the embodiments of living space. I suggested that this design is manifested by genocide as it comes to fundamentally replace the function of positive law. Through Arendt's analysis I argued that genocide is inextricably linked with the function of law-as-movement. As humans become the embodiments of Natural and Historical forces, this precludes the possibility of individual distinctiveness in public, since these 'laws' presuppose that all are the living embodiments of a single force of universal proportions. By suggesting that genocide can only exist in a post-Durkheimian social order, I sought to examine exactly how the social conditions of genocide rested not upon the commitment to fervent ideological beliefs, but rather upon a non-spontaneous social order, one that contrasts with the conditions that underpin criminal law. I also explained that genocide is not based upon a lawless society as exemplified by tyrannical government. Genocide is thus a policy derived not from lawless government, but from a highly regulated and organised enterprise in spite of its extrajudicial nature. By describing genocide as being based upon law without legality, I described how it was possible to create the potential for genocide in the state of exception—a state of anomie where law is suspended. I described how state and revolutionary authorities retain the technical possibility of suspending the applicability of law in a state of emergency in an attempt to colonise an inherently anomic realm with the laws of History or Nature through the violence of genocide. One conclusion to be reached from this discussion was that attempts to outlaw genocide could not restrain the state from suspending these legal norms, since the force of law's application rests in those authorities who possess the means of violence.

In the final part of this chapter I examined what kinds of spaces are collapsed by a policy of genocide. Following Arendt, I showed how the nature of genocidal atrocity destroys the three core aspects of political action: the juridical person (in the ability to possess rights), the moral person (in having the potential for public memory and heroic action), and the human person (by retaining the capacities of conviction and spontaneous action). The systematic destruction of the other is not only dependant upon manufacturing the superfluousness of the victims, but also those who perform as executioner. Superfluousness is necessary for genocide in order to unleash the laws of movement because to commit horrific violence demands a consistency of behaviour

that is at risk of being interfered, and hence interrupted, by spontaneous judgment and conviction. I showed how the superfluousness of the perpetrators created a gap in understanding that existed between the horrific deeds and banal motives. I explored these ordinary motivations in the case of Rwanda and showed how genocide operated in conjunction with socio-economic motives and other ordinary vocabularies of succour and sport. I argued that the ordinary vocabularies of motive became recontextualised in support of the genocide by the force of government. In the final section of this chapter I explored the limitations of Arendt's thesis for the study of genocide and argued that her task of exploring the crystallisation of a new political form (totalitarianism) obstructed a clear view of genocide as a distinct policy of government. The reason for this obscurity occurred because what defined totalitarianism as a novel form of government was based upon an account of genocide under the concentration camp system. I argued that in order to explore the inherent grammar of genocide on its own, one must abandon the association of genocide and governmental forms. Now that I have discussed the limitations of governmental forms as an explanation of genocide, I shall turn to an exploration of its practice and language of architecture.

## Chapter Five

### The Architecture of Terror

*[States that] have made a proper beginning conducive to improvement may by circumstance become perfect...but...the majority of men will not accept new laws designed to introduce new institutions in the state unless they are shown the necessity for them. Since such a necessity cannot arise except in [the] event of danger, it is likely that the state will perish before it is ever brought to a perfect order.*

Niccolo Machiavelli<sup>1</sup>

*All that the good call evil must come together that one truth may be born: O, my brothers are you, too, evil enough for **this** truth? The bold attempt, prolonged mistrust, the cruel No, satiety, the cutting into the living—how seldom do **these** things come together! But from such seed is—truth raised.*

Friedrich Nietzsche<sup>2</sup>

*The weak and ill-constituted shall perish: first principle of **our** philanthropy. And one shall help them to do so. What is more harmful than any vice?—Active sympathy for the ill-constituted and weak-Christianity.*

Friedrich Nietzsche<sup>3</sup>

#### *Introduction*

One of Arendt's most insightful observations concerned her warning that "totalitarian solutions may well survive the fall of totalitarian regimes in the form of *strong temptations* which will come up whenever it seems impossible to alleviate political, social, or economic misery in a manner worthy of men" (Arendt, 1968: 459; emphasis added). This passage suggests that 'totalitarian solutions' may operate as practical interventions independent of full-blown totalitarian governments. This means that genocidal solutions can be supported and conducted independently of the form of government which implements them. One should no longer expect to witness a symmetry between totalitarian government and totalitarian solutions. Arendt's suggestion acknowledges that while totalitarian governments may be ephemeral,

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<sup>1</sup> *The Discourses* (1981: 91-2).

<sup>2</sup> *Thus Spoke Zarathustra* (1969: 218).

<sup>3</sup> *Twilight of the Idols/The Anti-Christ* (1990: 128).

appearing only for brief periods in our political landscape, their methods of elimination survive as “strong temptations”, that are established features of domination that are open for reclamation and employment by those who govern.

Sheldon Wolin’s recent work has provided historical evidence to add validity to this insight. Totalitarian methods, he writes, such as “mass persuasion, indoctrination, and controlled terror”, have become “major tendencies in all politics of the latter half of the century” (Wolin, 2004: 519). Governments have adapted and expropriated methods of deception and terror that have become permanent features of not only authoritarian governments, but also of many Western representative democracies.<sup>4</sup> This evidence suggests that there are factors independent of the form of government which incline states to accept genocidal solutions to ‘social problems’. What I argue in this chapter is that there exists a political grammar of design which predisposes those in power to treat genocide as a temptation—one of many ‘legitimate solutions’ to ‘problem populations’.

My central argument of this chapter is that there is a grammar which is embraced by governments that postulates genocide as one of many ‘acceptable solutions’ to the ‘deficiencies’ of a societal design. Part of this chapter will thus explore the substance of this grammar. I claim that this grammar of design shares family resemblances with what Sheldon Wolin has called “critical totalitarianism” (Wolin, 2004: 465). Before reaching this discussion of grammar, I examine part of the sociological structure which gives this grammar its public potency; that is, the context of its ‘speech’. In the second part of this chapter, I explore the immanent structure of this grammar that enables a public by revealing the importance of specific attributes: paradigmatic incommensurability and consistency. Specifically, I explore how the structure of this grammar is designed to engender legitimacy and popular support by investigating the cognitive and discursive scheme employed by governing authorities to establish genocide as a temptation for specific audiences. I will argue that the tenets of this scheme can, if accepted, constitute a logical trap where audiences are more likely to adhere to specific suppositions about the other as encouraged by the strategic management of information and events. Once accepted, the tenets of this grammar can function to mitigate resistance from unmediated social groups—those citizens not part

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<sup>4</sup> Cf. Wolin’s reference to the Bush administration in his article titled ‘Inverted Totalitarianism’ in *The Nation*, May 19, 2003.

of the traditional party or organised labour structure. More importantly, however, I suggest that this strategic effort is part of a cycle of violence which is conscientiously instigated and managed by authorities. This systematic effort is the exemplar of Arendt's notion of 'force' which enables and carries forth the grammar of genocide.

### **I. Managing the Cycle of Terror**

Arendt (1968) wrote that one of the greatest challenges for totalitarian governments was to preserve the image of the 'other-as-threat' whilst exercising complete domination over society. Under conditions of total domination, the elimination of all opposition and organised resistance entails that the image of the 'secret-threatening' other becomes more difficult to maintain, since the logic of control contradicts the nature of the threatening other. The strategies to maintain the image of the 'other-as-threat' are essential for understanding how governments manage societal contexts for their terror policies. To pivot the transition to new, more 'perfect order' demands mitigating civic opposition and increasing cooperation by employing effective methods to better 'contextualise' or add credence to the government's propaganda.

Machiavelli, as quoted above, suggested that the multitude can only understand the need for "new laws"—that is, a reordering of society—under conditions of emergency created by subversive threats to the social order; what he called the "event of danger" (Machiavelli, 1981: 91). These events he referred to are the emergency conditions which demonstrate that there actually exists "such a necessity" to change or reform the fundamental principals of the social order (1981: 91). A key attribute of modern state power is that many states possess the technological ability to manage and manufacture events of danger to augment the nature of political life. When the transition to a new order is instrumentalised by a grammar of design that professes to be animated by the Universal forces of 'Nature' or 'History', the effort to change society necessarily transcends and challenges the boundaries of law and descends into the once insular spheres of private life. The "perfect order" for these 'totalitarian' (that is, totally encompassing) efforts thus depends upon an ethic of managerialism that can break with or suspend existing social and political boundaries in order to instrumentalise the temptation to eliminate the other (1981: 91). This is accomplished by reference to the various forms of 'special pleading', which proclaims that the threat of the other demands new laws and methods which circumvent the established juridical

institutions that once ensured a space for the political and juridical subject. These kinds of special pleading are the instrumental proclamations intended to mitigate opposition and increase public support for “new laws” (1981: 91). Yet, these forms of managerial intervention would barely qualify as ‘manipulations’ if governments would confine themselves to proclaiming special pleas regarding the other. Instead, what governments actively seek most is the ability to change or act upon the conditions which regulate patterns of civic action to ‘validate’ their interventions.

To overcome the paradox of total control authorities can thus manipulate the conditions which effectively resituate the “majority of men” in a position where the need to reorder and ‘protect’ society becomes rational and acceptable even against those with no actual power (Machiavelli, 1981: 49). ‘Resituating’ entails augmenting the material and social conditions which incline the majority of people towards certain kinds of action and opinion. Governments, in these situations, thus possess the ability to both build upon existing conditions and also consciously determine the conditions of opinion as expressed by much of the population. One strategy that demonstrates this ability is the creation or reliance upon insecurity to harness societal change. On a societal-wide level, Melson, Fein and others have hypothesized that civil and international conflict can exacerbate domestic insecurity which may serve as a catalyst for governments to conduct genocide (Melson, 1992; Fein, 1993). Below I will examine how this is possible for states to create and perpetuate a milieu of insecurity which inspires individual preserving action in support of a policy of extermination.

There exists sociological evidence which suggests that those groups who are established in elite positions in society react in predictable patterns to the conditions of insecurity. In *The Established and the Outsiders*, Elias and Scotson showed in their description of the established and outsider dialectic that the more threatened the established group felt, the greater their beliefs were likely to be driven “towards extremes of illusion and doctrinaire rigidity” (Elias and Scotson, 1994: 93). The established members of the community used “their power to define the situation and impose their definition on all those involved” (Bauman, 2003: 144). This definitional tendency encloses “the newcomers in an iron cage of stereotype” that relies upon “a highly simplified representation of social realities” (2003: 144). Elias and Scotson also found that the established group reacted to the presence of outsiders by closing ranks, thus forging greater social bonds that would ensure that their status in the community

would be preserved. The importance of Elias and Scotson's research was that they showed that the structural conditions of their bonding determined the dynamics of discrimination and oppression. This meant that discrimination was determined "not by any of the characteristics possessed by the groups concerned", but rather by the conditions within which they were related to each other (Elias and Scotson, 1994: xxxi). Thus, the power of the situation, where one group possesses an established hold within a community, was found to govern their interrelation with those outside the established social order. The outsider group was judged by the established community as newcomers who lack cohesion and discipline. Anomie was "perhaps the most frequent reproach against" the outsiders because their presence threatened the solidarity within the established group (1994: xxv). The "emotional barrier" of solidarity felt by the established group meant that they

felt impelled, and had the sufficient power resources, to treat those of another group collectively with a measure of contempt, as a people less well bred and thus of lower human value, by comparison to themselves (1994: xxi).

What the established community feared most was becoming anomic and losing their standing within the community. The 'threatening' existence of outsiders was thus conveyed by a language of 'contamination' in reference to their corrupting influences 'intended' to erode solidarity. How this kind of relational dynamic becomes influenced by a strategic manipulation of insecurity will be the focus of this first section.

The purpose of this section is thus to show how established authorities, who control the means of violence, can both capitalise on a situation of disparity and intentionally intensify it by strategic interventions, effectively adding greater force to a condition where beliefs about the other become more radicalised and entrenched. Thus, there exists a pattern of reinforcement where radicalised and entrenched beliefs resembling prophecies are directly influenced by collective action against the other. My central argument is that the cycle between the language of the other and the conditions of society is mutually reinforcing; that is, vocabularies of action and motivation about the other can inspire action, and in turn influence the conditions in which the other is situated. Likewise, a reverse pattern is also identifiable; governments can employ measures of force that change the conditions upon which the relations with the other are based, making more radical beliefs appear necessary in circumstances of emergency. In both of these hypothetical scenarios, the other

becomes the pivot (that is, the Lacanian ‘quilting point’) for a radical transformation of society through a policy of genocide.

In the first part of this Chapter I will examine how an established group can manufacture the ideological basis for genocide by the strategic use of violence and even by the commission of genocidal atrocity itself. Genocidal violence can function to set in motion predictable reactions that can add credence to ideological doctrines that advocate extermination. The focal point of this manipulation concerns the creation of emergency conditions to augment the established community’s expectations about the others’ future actions and present loyalties. Genocidal practice is not only a policy reaction to these emergency conditions, but is also what demonstrates and constitutes the reality of an emergency situation itself. Genocide, as both a corollary and constitutive emergency measure, thus fulfils the central demand of the elite forces of society: that the contention with the other should become unleashed from all societal restraints and implemented as the primary ideological drive to reorganise the social order.

The second part of this section will concern the discursive dimension of this cycle by investigating the substantive sociological patterns of attributing motive to the actions of the other. This investigation entails analysing the discursive format and function of positing motivation as a strategy to influence the future actions of victims and perpetrators. In the third section of this chapter, I will show how these vocabularies of motivation become interwoven with the self-fulfilling prophecy. This relation between vocabularies of motive and strategic action forms a cycle where individual action directed towards self-preservation on the part of the intended victim functions to fulfil the specific ideological tenets of the government’s fight against the ‘domestic enemy.’ The interaction between the conditions of emergency and the vocabularies of motive constitutes a cycle that generates its own destructive momentum. The first half of this chapter thus puts forth an explanation of how the spaces of society (morality, law and politics) come to be collapsed by the strategies and conditions managed by authorities.

### *Genocidal Action as Ideological Confirmation*

Contrary to the prevailing assumptions about violent conflict, the social and ethnic differences between those who commit genocide and those subject to it have tended to

be marginal and more often non-existent. This lack of identifiable division means that genocidal authorities are faced with a task of exposure and clarification of ‘hidden’ differences between groups. The importance of Elias and Scotson’s investigation showed that the structural interrelation between groups is a central factor in generating discriminating behaviour (that is, manufacturing difference). The stratified conditions of the situation, where one group possesses power and solidarity, and the other does not, is also a contributing factor in the possibility of genocide. Current investigations into minority-state relations have called this kind of approach “constructivist” because it argues that the boundaries between groups are not historically or racially entrenched, but are “produced and reproduced by specific social processes” that are under continual evaluation (Fearon and Laitin, 2000: 874). In this section I want to explore the role of strategic violence in demonstrating the ‘secret divisions’ between groups that instrumentalise a policy of genocide. I will argue that genocide itself, rather than being a form of violence requiring strict divisions between groups, can also function as an instrument producing or reconfirming new divisions between groups. Genocide can thus actively inspire its own ideological premises by acting as if the social distinctions are in fact genuine.

This position differs from the dominant conflict-genocide hypothesis—as held by Harff and Gurr, and Shaw, and discussed in chapters Two and Three—where genocide is seen as a consequence of *genuine* social or political conflict and group divisions. Instead, I argue that genocide can inspire the conditions necessary for its own performance. Due, in part, to the extremity of its force, genocidal violence is thus a kind of intervention that changes the contours of decision making patterns, which can increase the likelihood of genocide becoming the principal policy of societal design.

G. K. Chesterton, in his critique of contemporary doctrines, famously remarked in his appraisal of the guillotine that all progressive or revolutionary actions that seek to reformulate the world demand fixed ideals:

The guillotine has many sins, but to do it justice there is nothing evolutionary about it. The favourite evolutionary argument finds its best answer in the axe. The Evolutionist says, “Where do you draw the line?” the Revolutionist answers, “I draw it *here*: exactly between your head and the body”. There must at any given moment be an abstract right or wrong if any blow is to be struck; there must be something eternal if there is to be anything sudden (Chesterton, 1908: 115, 116).

Any decision to act decisively in public matters always-already entails some sort of reference to collective ideals that are engendered by the acting authority—“As long as the vision of heaven is always changing, the vision of the earth will be the same. No idea will remain long enough to be realised...” (1908: 115). Yet, Chesterton implicitly recognises that ideals are only important as they are effectual, and it is this effectuality of ideals that makes systemic actions possible. The force of any logic is thus only as powerful as it is both effectual and eternal. If, for example, a political position suggests that a group is threatening to contaminate society through corruption, there must be events or visible actions to demonstrate the validity of these ideals. However, there is no single method that operates in the realisation and spread of eternal ideals. For the majority, ideals are only valid if they are demonstrated as ‘facts’ of the world in which they live. Events such as trials, punishments or violent conflicts themselves can demonstrate the validity or existence of ideals, some of which inspire patterns of intense emotive adherence.<sup>5</sup>

I am suggesting that the modern power of governments can be employed to validate established ideals by strategic actions (such as manufacturing events), effectively adding greater poignancy to the seriousness of a contention or worldview. An exemplar of such actions is evident in the recruitment of suicide bombers. Too often one assumes that these individuals are the “subject supposed to believe”—in order for the bomber to commit such an act, we presume that they are fervent adherents to the cause (Žižek, 2002: 72). The suicide bomber, far from being the militant character of the movement, is rather the recruited fodder gathered from those experiencing anomie or psychological distress and who previously lacked any serious public or ideological commitment. From what is known about the lives of suicide bombers they are, as Žižek reports, persons in a condition of anomie and confusion which is usually caused by some kind of personal trauma. As Žižek argues, it is often the case that recruits “are terribly unsure about their beliefs, and they use the suicidal act as a means of resolving this deadlock of doubt” (2002: 72). Recruiters of suicide bombers seek out such individuals by persuading them of the virtues of self-sacrifice in service of a political struggle. Paradoxically, subjects choose to resolve their personal tension in life through self-destructive acts. Their suicidal action is thus the most

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<sup>5</sup> An example of such divergent reactions surrounding a specific event was observable in the O.J. Simpson trial which juxtaposed the desires to acknowledge police corruption and racial discrimination versus the desires for justice.

extreme public demonstration of a self-justification: the militant ideologically motivated explosion is the conformation that I am *this* as I stand *here*. Thus, even though suicide arose out of a condition of anomie, their self-sacrifice represents a declaration to the community and to himself that this was where he or she stood in public matters. The extreme and violent intervention against an opponent is a clarification of one's position that derives from and confronts a personal condition of anomie. The bomber becomes the embodiment of ideals which reveals and re-states to the community, and to the bomber himself, that there is a difference between us and them. In this case, violence is the force that clarifies the intensity of the struggle, where the explosion represents the demonstrated union with the cause. The extremity of violence is to be understood as an indication of the seriousness of the antagonism where the suicide bomber, like Chesterton's revolutionary use of the guillotine, is the decisive agent-weapon that demarcates one's position in a pre-existent antagonism except in reverse. Whereas Chesterton's revolutionary was motivated by fixed ideals, the suicide bomber was driven by a condition of meaninglessness. The paradox here is that the bomber uses the self-destructive participation to resolve a condition of normlessness. In other words, the act of violent self-destruction is the conformation of a set of ideals through the performance against an enemy without any prior ideological devotion on the part of the bomber that may account for his actions. If it were not for the fatality the act, *the decision* to participate in a violent struggle would likely inspire greater belief and commitment to the ideals of the movement. The lesson here is that terror movements can exploit the anomic conditions of society to expand and intensify their struggles without any prior ideological commitments.

The significance of this pattern for an analysis of genocide is that violent actions against the other can change the structural conditions between the other and a state authority. Violent actions like those of the suicide bomber can function as clarifications for public struggles arising out of anomic conditions prevalent in society. Thus, the use of force by governments which employ the methods of civic persecution, legal discrimination, extrajudicial arrests and assassinations are measures designed to provoke divisive reactions from opponents which clarify political divisions or fulfil other strategic aims. Once clarified governments can build upon these conditions by exaggerating prevalent fears by strategically developing new forms of violent intervention in conditions of emergency.

There are also political consequences faced when employing violence as opposed to other rhetorical strategies. On one level, the extremity of violence and threat to human life signifies that the contention is serious and demands acute attention. Secondly, violence can also further intensify political commitments by provoking reactions from the political opposition and the targeted group. These reactions are often predictable, and are thus open to management by the powers of the movement. Genocidal violence and smaller scale atrocities can make personal and collective security a primary social concern, and also serve to increase the obedience and efficacy of government agencies assigned to carry out future violence.

### *Violence as Contextual Intervention*

Another important strategy evoked by *génocidaires*, which operates in conjunction with the promotion of division through violence, involves depicting the other as an exceptional problem. Employing violence and terror against a group can thus instigate reactions that demand ‘special measures’. This specifically involves challenging the existing conventions on the treatment of persons by the invocation of ‘special pleas,’ which proclaim that customary obligations must be disavowed when considering the other due to the uniqueness of circumstance or nature of the ‘threat’. The means that *génocidaires* never challenge the existing moral bans on murder and other measures (torture and ill-treatment) enacted against individuals directly. Instead, their special pleading advocates a suspension of the moral and legal order which extricates the other from the traditional sphere of political and legal obligations. The state of exception, as I examined in chapter Four, is fundamental in making genocide possible because it is the technical extension of these pleas that instrumentalise the other’s ‘special treatment’. The relationship between strategic violence and an ideology of special pleading is inexorably and mutually reinforcing in that the abilities of modern state power can control, build upon, and invoke the conditions of emergency necessary for more radical interventions. The state thus possesses the ability to structure the conditions of its own policies, including genocide, thereby greatly improving the probability that their own ideals will become realised.

These forms of strategic action reveal the power of elites to encourage a radical shift in paradigms towards totalitarian worldviews. The actions of elite forces persecuting the other through propaganda, discrimination and systematic atrocity are

interventions which bring forth a new set of coordinates that establishes genocide as a temptation. These strategies of violence, in that they represent and instrumentalise the desire to shift paradigms that treat extermination as a temptation, procedurally resemble Lenin's understanding of actual freedom. For Lenin, "actual freedom" is represented by a set of actions in which one seeks to instrumentally break with the choice "between two or more options *within* a pre-given set of coordinates" and "choose to change this set of coordinates itself" (Žižek, 2001: 7). "Formal Freedom", on the other hand, means that choices are confined to an established set of coordinates within a political perspective. Lenin's purpose in making a distinction between actual and formal freedom meant to preserve a genuine radical choice, one that could break away from established political patterns. States employing violent strategies for the purposes of genocide break from the formal choices within the old order (e.g., from say liberal doctrines of tolerance) by effectively changing the landscape in which opinions about the other formed. Such violent interventions are the restructuring efforts by a kind of 'revolutionary intervention from above', one that fundamentally changes the society's political paradigm.

This kind of political situation was evident in Eastern Europe in the 1990s when people were faced with a set of circumstances where political choice became a formal matter between a set of pre-given coordinates. As Žižek explains, the genuine revolutionary alternative means breaking away from these formally forced circumstances.

The catch of the "transition" from Really Existing Socialism to capitalism was that people never had the chance to choose the *ad quem* of this transition. Rather, they were (almost literally) "thrown" into a new situation in which they were presented with a new set of given choices (pure liberalism, nationalist conservatism...). In such a situation of forced choice, "actual freedom" as the act of consciously changing this set of choices occurs only when one *acts as if the choice is not forced* and "chooses the impossible" (Žižek, 2001: 7).

Lenin's effort to preserve the revolutionary capacity of transition to an altogether different kind of order is mimicked by authorities seeking a new order through the use of violence. Genocide, and the strategic use of violence that makes systematic eradication possible, is a perverse expression of actual freedom because eradication is instrumentalised as transition, that creates and builds upon existing structural divisions (e.g., established-outsider), which expresses the ability of an established elite to break from a political paradigm.

The conclusion to be drawn from this section is that violence and decisive action can create the conditions to establish a further escalation in violence and social divisions, thereby creating the potential for actual freedom and the bringing forth of new ideals that instrumentalise genocide. The strategies of violence can thus function to intensify and clarify social divisions and create the circumstances for a genocidal grammar that treats total eradication as one possible ‘solution’. What I have contended here is that the strategic domination of context through violence can confirm or encourage discourses of social division within an already stratified power situation. In the next section I will explore the other discursive segment of this cycle by showing how motivational language (prevalent in genocidal ideology) functions to orient future actions that impact the likelihood of genocide.

### *The Function of Vocabularies of Motive for Strategic Action*

C. Wright Mills argued that “we must approach linguistic behaviour, not by referring it to private states in individuals, but by observing its social function of coordinating diverse actions” (Mills, 1940: 904). Rather than expressing something prior in the individual, motivational “language is taken by other persons as an indicator of future actions” (1940: 904). These observations by Mills suggested that motivations are acts in themselves, which greatly influence future conduct. As actors impute and ascribe motivations to others and themselves, these descriptions have consequences for future social conduct in that they serve to coordinate future actions. The goal of Mills approach was to account for the reasoning behind the imputation of motives and discern how they function in social situations in reference to action. Mills’s analytic model can thus help us understand how individuals (victims and reluctant perpetrators) come to be entrapped in a genocidal situation by discursive methods that serve to facilitate cooperative actions.

Drawing on G. H. Mead, Mills suggested that in a societal situation there exist vocabularies of motive that apply to different institutional circumstances. In situations where the conduct of its membership is questioned, he discovered that “as a word, *a motive tends to be one which is...an unquestioned answer to questions concerning social and lingual conduct*” (1940: 907). In other words, a “stable motive is an ultimate in justificatory conversation” (1940: 907). Motivations, unlike other kinds of judgements, carry a force that greatly impacts future social interaction. Positing

motives are interventions that can serve strategic desires within the contours of a situation. As Mills suggested they are designed principally to motivate actions from other members in a situation, rather than feature as accurate descriptions of conduct. Thus, in some instances if justifiable motives for a particular action cannot be found, the future action may be abandoned altogether. When motives are being applied to others one is not trying to describe the experienced social action (what actually motivated an action), but to exact influence over others and themselves for the purposes of future conduct.

To describe, for example, the actions of a man stealing food and clothing from a store as being motivated by greed supposes that the person is culpable of the theft of goods. However, under arduous circumstances, like those experienced by the citizens of New Orleans following hurricane Katrina, or those suffering from severe poverty, one may attribute motives of necessity to their decision to acquire goods for the purposes of survival. In the first instance, positing motives of greed and moral disgust invites future actions to sanction this kind of conduct to clarify and restore the social order. Whereas, positing motives of need and struggle would result not in applying measures of sanction, but may instead invite a clearly supportive course of action which addresses and alleviates the needs of those compelled to steal under such circumstances.

The questioning of motivation, whether concerning oneself or another, also arises from the desire to change or reinforce future-oriented action. One may posit a motive for a course of action which can both strengthen the action in the eyes of the actor and win new allies for his programme. Vocabularies of motive are thus powerful because as long as they possess a *prima facie* plausibility, they function to unify support for a course of action. When, for example, government officials are imputing motives for the need to implement a particular policy, they are convincing themselves and influencing others about the direction of future conduct. What determines the kinds of vocabularies of motive depends upon what context they derive from (that is, how they are situated) and what intentions underlie the imputation. Motivation in ecclesiastical contexts, for example, is often linked with moral and religious terminology that describe actions as 'good' or 'bad' in light of the qualities of a person's soul. Vocabularies can thus be conditioned by and tailored to an intended audience as crafted by the judgement of the speaker. The imputations of motives

should thus be understood as distinct actions that are intended to influence future or current social conduct.

Motives are thus social instruments that orient future actions by appealing to morals and other emotive sentiments. These kinds of motives are situated in the sense that they occur as a reflection of the speaker in a situated time and place. When we apply this theory to the occurrence of organised violence, one can witness a similar pattern for the strategic use of motivational vocabularies. Motives accompanying the decisions in favour of war, for example, are “not “the causes” of war, but they do promote continued integrated participation” in favour of the effort (1940: 908). Such kinds of motives can be characterised, measured and compared to other motives in similar situations and institutions of conduct. In the most recent conflict in Iraq, weapons of mass destruction featured as a motivating issue to intervene with military force. The problem in this case was that the motivational vocabulary used to promote the war required verification upon completion of the campaign. Nevertheless, under the rubric of arguments for warfare, “vocabularies of motive have careers that are woven through changing institutional fabrics” and can be rearticulated from past events in the course of a campaign (1940: 909). This entailed treating Iraq as a fight against the ‘war on terror’, situating it within a motivational language that purports to threaten the United States and the Western world.

Concerning genocidal circumstances the pattern of this motivational structure is virtually identical. The others are enveloped by a discourse that professes to speak for their collective desires, that is their inherent ‘genuine’ motives. These motives are strategically organised based upon the intended action of the perpetrators. Should the future actions of the state likely favour genocidal violence, authorities will devise and attribute motives towards the other which are likely to treat genocide as a temptation or necessary course of action.

### *Motive, Ideology and the Organisation of Violence*

With the other functioning as a pivot for the transition to a new social order, the motivational language can become interwoven within much larger narratives. In Stalinist Russia, as in Nazi Germany, these grand schemes reached their apogee where the struggle against the enemy became a “struggle of humanity itself against its non-human excrement” in accordance with ‘History’ and ‘Nature’ (Žižek, 2002a: 127).

This antithesis, despite being morally generalised, does have historical and present importance for substantive policy. These Universal notions serve, as I mentioned in chapter Four, vital functions in articulating the image of the other as a *point de capiton* for 'legitimate' struggle, which accounts for why many genocidal governments have had *no* concern with genuinely verifying the validity of these motives. The importance of my present argument for this section is to show that these situated motives are manipulations (clear fabrications or caricatured features of a situation) that are designed to situate, organise and inspire a particular pattern of future conduct. This means that vocabularies of motive serve similar sociological functions for governments that seek to transcend the particular set of coordinates of the situation by discursive means.

Under Stalinism, the self-destructive nature of the regime was based on the clear fabrication of plots and sabotage involving elements of its own government set in increasingly generalised terms which targeted groups and individuals within and outwith the regime. Nazi police, on the other hand, were always searching for actual evidence associated with any subversive action or persons (Jews, Gypsies, Jehovah's Witnesses, communists) and exacted their policy of genocide and terror according to evidentiary categories. That there was never any evidence of such actions or that these 'determining' categories, such as race, were valid in light of critical reason was not a concern. In Rwanda, efforts to locate and exterminate Tutsi and their Hutu 'conspirators' assumed a more suspicious basis, questioning the allegiance of many Rwandans, including Hutu, as to their standing in relation to the 'Tutsi enemy'. In these examples, motives are intended to be *dynamic*, in that they can apply to various kinds of victim behaviour. They are also *forward-looking*, in that they establish a set of criteria for judging the future action which is to be expected from the other. By attaching motives to the other-as-group, they profess to speak for the hidden desires or instinctive inclinations brought about by their 'Natural' or 'Historical' constitution independent of their will. In this way, motives function to solidify expectations about the other and rally support for a particular pattern of action, which can be demonstrated by how individuals react to the manipulation of circumstances. The act of positing motivations is thus interwoven with the attempt to create and make preponderant a set of social expectations that will demonstrate that there is a 'problem of the other' and simultaneously establish the patterns of how the other must be eliminated.

These motivational vocabularies are the central components of the perpetrator's ideology that gives a reliable account of why the other is a 'problem' in need of a radical and perverse 'solution'. Ideology, as Daniel Bell explains, is

not simply a *weltanschauung*, a cultural worldview, or a mask for interests, but an historically located belief system that fused ideas with passion, sought to convert ideas into social levers, and in transforming ideas transformed people as well. When it becomes a striking force, ideology looks at the world with eyes wide shut, a closed system which prefabricates answers to any questions that might be asked (Bell, 2000: xi).

This ideological effort, as practically manifest by attributing motives, does not operate by persuasion, but through deception and force because the organisation of these vocabularies are designed to be strategic tools that operate in non-consensual contexts. Contextual interventions, as I examined in the last section, in combination with these vocabularies constitute a force designed to collapse opinions about the other into a destructive format. The goal is thus to animate these vocabularies by interweaving them within institutional fabrics. As Arendt has noted:

The forms of totalitarian organization...are designed to translate the propaganda lies of the movement, woven around a central fiction—the conspiracy of the Jews, or the Trotskyites...into a functioning reality, to build up...a society whose members act and react according to the rules of a fictitious world (Arendt: 1968: 364).

What gives motivational vocabularies their appearance of validity is their unity with the organisation of government and their ability to account for, however crudely, the actions and 'essence' of the other. This ideological strategy thus realises the principle of gestalt: the sum interaction between organisation, motivational discourse and circumstance is a more poignant method to compel individuals to support or remain complacent about the plight of the other. In other words, the sum interaction of these practices is greater than the influence of each.

### *Integrating Motive and Organisation*

This organisation that manages vocabularies of motive and their contexts operates, in part, by strategically realising the projected motives of the other. One pattern most often employed to organise motivational vocabularies in cases of genocide is through 'mirroring'. As I noted earlier in the case of Rwanda, "accusations in a mirror" are motives projected upon their intended victims which are derived from their own intended actions (Des Forges, 1999: 64). This strategy is known to us from a document

found in Butare prefecture that describes in detail these kinds of strategies that were intended to generate mass support for killings (1999: 65). In their doctrines, *génocidaires* would thus impute their intended actions upon their victims. In Rwanda, it was widely supposed in the Hutu propaganda literature that the forces of 'Tutsi unity' were intending to conduct a genocide of their own against the Hutu should the RPF successfully secure the country. This same strategy has also been documented in the former Yugoslavia. In the case information sheet of International Criminal Tribunal for the former Yugoslavia (ICTY), Stojan Zupljanin, a leading member of the Serb nationalists in the Autonomous Region of Krajina ("ARK"), was accused of having "promoted and disseminated propaganda that portrayed the Bosnian Muslims and Bosnian Croats as fanatics intending to commit genocide on Serbian people" (IT-99-36). In Nazi Germany, Hitler's chilling prophecy that "In case the Jewish financiers...succeed once more in hurling the peoples into a world war, the result will be...the annihilation of the Jewish race in Europe" was another typical expression of this motivational strategy (Hitler quoted in Arendt, 1968: 349). Like all its substantive manifestations, these passages, if translated into "nontotalitarian language", would mean I intend to make war and I intend to commit genocide (1968: 349). It is thus appropriate to interpret these types of statements as a strategy assigning motive to the other which intends to bring forth a new paradigm of future action. By proclaiming that radical action is necessary to address the 'special case' of the other, a policy of genocide becomes a genuine temptation when substantiated by motivational vocabularies that profess to speak for the other.

What makes Mill's theory important for analysing this strategy is that motive attribution is uncoupled from the faculty of validating judgements. This means that motivational descriptions serve as distinct actions that have a functional-social dimension in coordinating future policies. Vocabularies of motive are no longer individual expressions of judgement or opinion, but have an important social dimension directing future action which can, in the contexts described, embrace the logic of genocide. I now turn to a more detailed examination of these vocabularies in conjunction with violent action.

*Rwanda, Genocide and the Strategic Use of Motive and Violence*

In this section I will explore by example how the use of violence manipulates a societal context, making these motivational vocabularies appear warranted. I will argue that strategic interventions that employ violence can serve to legitimate vocabularies of motive by changing how they are situated, thus providing them with a greater *prima facie* plausibility.

The strategic actions that fulfilled these kinds of motivations vary with each case, but they all function to liberate the image of the other (as an exemplar of actual freedom) from the common sense concerns that are engendered spontaneously between people. As in the case of Rwanda, it was a common strategy to employ the threat of RPF invasion and ethnic conflict as a single struggle against ‘Tutsi unity’ for political advantage. As I mentioned previously in chapter Three, the events in Kigali on October 4-5, 1990 concerning the reported discovery of hidden arms and radio communications equipment and explosions, were staged events created by the Habyarimana government and attributed to RPF infiltrators. This served as the pretext to arrest some 13,000 people and was later exploited by the interim government for purposes of creating a state of emergency throughout the country following the president’s assassination. What made these strategic actions so effective was that they were based upon vocabularies of motive engendered within the movement’s propaganda. The discovery of arms and communication equipment implied that there were infiltrators communicating with RPF forces in Uganda who were planning coordinated covert military action against the Rwandan government. This ‘discovery’ along with the massive arrests served to substantiate the motives of infiltration, conflict and domination on the part of Tutsi who were aligned with the RPF. In other words, these strategic actions served to fulfil the ideology of the Hutu power movement by reinforcing the vocabularies of motive depicting ‘Tutsi-RPF’ as infiltrators and spies seeking to undermine the Hutu government.

Specifically, these ‘emergencies’ added greater substance to Hutu ideology, especially after the coup by Tutsi military officials that occurred in neighbouring Burundi. Motivations projected upon the Tutsi described them as intent on destroying the sense of Hutu identity through subversion and mass killings. In line with these concerns Hutu propagandists, for example, suggested that the RPF was planning to “restore the dictatorship of the extremist Tutsi minority” by “a genocide” targeted at

“the extermination of the Hutu majority” (Des Forges, 1999: 78). Even random and unrelated events, like the digging of large ditches by the RPF (most likely for defence), was interpreted as an anticipation of the impending genocide by ‘the Tutsi’. In April 1992, the newspaper *Jyambere* reported that Tutsi opposition parties were distributing arms to their youth wings, yet this was what the Habyarimana forces were actually doing in preparation of ‘self-defence’—the official euphemism for the 1994 genocide. The events in Burundi thus served as a reminder of what can actually happen to a democratic Hutu government should a state neglect the ‘secret power’ of ‘Tutsi unity’.

This strategy was very effective in Rwanda as it convinced people that they were continually in a state of emergency which maintained the expectation that the state would use whatever measures necessary for ‘self-defence’, including mass killings. This projection of motive, articulated with specific reference to past ‘Tutsi’ atrocities and domination in the Great Lakes Region, made the genocide, as enacted by the interim Hutu government, seem like a consistent response to a ‘History of Tutsi’ motivation and action. This ‘Historical’ consistency of past actions added depth and credence to the ‘Tutsi’ motives created by the Hutu Power movement. Specifically, Hutu doctrines openly proclaimed that if the RPF was successful in securing the country they would institute a new form of Tutsi domination that would recall past colonial oppression and similar kinds of atrocities like those experienced in Burundi. The strategic use of violence against Tutsi and the ‘Historical’ reinterpretation of Tutsi actions were designed to engender mass support by providing them with a tangible *prima facie* plausibility. Due to the restrictions placed upon the press and opposition groups, these strategic actions became virtually unverifiable by independent sources, whilst government propaganda provided the only consistent and accessible set of explanations for contingent events.

### *Instrumentalism, the State of Emergency and Self-Preservation*

Lacking any vantage point to found a perspective of genuine realism (the ability to reliably distinguish between genuine and fictitious descriptions of events) genocidal governments manage a paradoxical situation of controlled-insecurity to increase public cooperation. The paradoxical situation of insecure domination is also maintained and expressed through the techniques of organisation which employ emergency measures to demonstrate the motivational vocabularies of the other. In this section I will show

that the rationality of self-preservation as inspired by a state of emergency can expedite victims' cooperation in their own destruction.

As I have argued throughout this thesis genocide operates under conditions of total domination where all the rival centres of authority within and outwith the targeted group have collapsed in order to prevent other avenues of resistance and evaluation of the perpetrating authority. Governments secure their hegemony by fostering a situation where fear is pervasive, yet not paralysing so as to avoid a situation of *chaotic* self-preservation that would disrupt its organisation. Authorities establish expected avenues of action which confine the victims' actions to patterns which verify motivational vocabularies that function to reinforce the perpetrator's ideology. This means instilling opportunities for victims to avoid harsh treatments should they cooperate with the demands of authority. In some cases, as concerning the Holocaust in Western Europe (as opposed to the East) the Nazis relied heavily upon the cooperation of the community hierarchy in order to expedite genocide.

Thinking they had a chance to save parts of their communities, Jewish representatives were forced into a new role as *Judenräte*—elected or appointed representatives of the community designated to 'negotiate' with Nazi authorities. This role meant that community leaders, with the assistance of Jewish police, cooperated with the 'resettlement', helping to run the ghettos and facilitate orderly 'deportations'. All those trapped in such a situation realised that they were embroiled in a "save what you can game" where Jewish representatives thought that there was a chance of saving parts of the community by negotiating within the confines of the Nazis' order (Bauman, 1991: 129). Under these circumstances, victims played into the hands of their executioners by allowing their actions to be guided through a twisted bureaucratic road founded upon the rational desire for survival. This 'carrot and stick game', was a diabolical plan which exploited the victims' rational desire for self-preservation to unknowingly cooperate in their own demise. This circumstance demonstrated that "*modern, rational, bureaucratically organised power*" had the ability "*to induce action functionally indispensable to its purposes while jarringly at odds with the vital interests of the actors*" (1991: 122).

What made this bureaucratic scheme function smoothly was that it created the idea of choice in the minds of the victims. This was made possible by building exceptions into the selection system that would alleviate (only temporally) the

suffering of some the victims. Thinking that they could avoid their fate by qualifying for some kind of exemption meant that there was a chance that they could save themselves and those around them. What many did not know, however, was that their fate was sealed from the beginning, and the system, like all modern bureaucracies, was designed merely to expedite the genocide without further straining manpower and resources. In Hilberg's words,

The Germans were notably successful in deporting Jews by stages, because those who remained behind would reason that it was necessary to sacrifice the few in order to save the many. The operation of this psychology may be observed in the Vienna Jewish community, which concluded a deportation 'agreement' with the Gestapo, with the 'understanding' that six categories of Jews would not be deported. Again, the Warsaw ghetto argued in favour of co-operation and against resistance on the grounds that the Germans would deport sixty thousand Jews but not hundreds of thousands...The fatal arithmetic was also applied in Vilna, where Judenräte chief Gens declared: 'With a hundred victims I save a thousand people. With a thousand I save ten thousand.' (Hilberg quoted in Bauman, 1991: 133-4).

There were perilous moral consequences associated with self-preserving action as sought within the established system. Striving for an exception to the 'deportation' system in terms of petty privileges, exempted statuses, or a stay of execution simply meant that the victims "tacitly accepted the premise of the design" (1991: 131). As Bauman indicated,

Whoever saw in the ruling a personal chance could claim the benefits only while simultaneously accepting the assumption that warranted both the general rule and the exceptions: that 'normal' Jews, Jews 'as such', did not deserve the ordinary rights offered by German citizenship (1991: 131).

The other consequence was that this system established the conditions where individual actions, however morally corrupt or abhorrent, could be deemed 'rational' and hence acceptable so long as they preserved the survival of the individual. Exceptions built into the system ensured that the moral solidarity of the victims would be thoroughly corrupted by individuals struggling for survival. This condition, where self-preservation led many to survive by stealing, bribery or betrayal, eroded moral solidarity between victims and invariably supported the instrumental efforts for total extermination. The other consequence of this was that it 'demonstrated' the ideology of Nazism. The plight of many German and Western European Jews revealed that rational self-preservation ultimately meant cooperation and self-incrimination; "that everything the Jews did to serve their own interest brought the Nazi objective somewhat nearer to

full success” (1991: 135). Authorities who control the conditions of survival could thus structure in exceptions to gain not only greater cooperation from victims, but also, as I shall show by further examples later, ‘*demonstrate the genuine*’ *corrupting character of victims*.

This organisation of genocide, based upon securing cooperation from the community, is not always prevalent in other genocides. Bauman does acknowledge that the war against Russia was a “war of annihilation” which meant that Jews and other peoples were exterminated by *Einsatzgruppen* and other military units with little or no cooperation from their victims (1991: 117). Thus, the roads to genocide were varied when it came to soliciting the cooperation of the victims. Yet, there are cases, unlike the Holocaust, where civic, rather than victim cooperation, served to intensify the cycle of terror in much the same manner. Thus, there are cases where bystanders are forced to comply with an instrumentalism which exploits their rational desires for self-preservation in service of genocide. As I shall show in the next section, many victims and even reluctant citizens in Rwanda had little choice in dealing with the military and militia forces that conducted the genocide. Often they faced restricted choices under such circumstances: either they resisted and face immediate injury or death or, if given the opportunity to cooperate, they could postpone their fate in the hope that fortune will somehow intervene on their behalf. With the certainty of death secured in the minds of both victims and reluctant citizens should they fail to cooperate, most if not all will choose the rational course based upon their immediate desire for self-preservation. Cooperation even with the remote chance of survival became the only rational option.

### *Rwanda, Self-Preservation and Civic Cooperation*

Reluctant perpetrators are those common citizens unfortunate enough to be caught in situations where their cooperation is procured by force. In the case of Rwanda, their concern for self-preservation likely derived from two mutually sustaining directions. First, from the direct actions of police and military forces designed to ensure compliance, and, second, from the socialisation of fear represented by the image of the other who was said to be in allegiance with an invading army, one that was also responsible for the assassination of the President.

Both of these forces are meant to ensure the cooperation of common people thereby making pliable elements out of the social structure based on a concern for self-preservation. The state thus sought to accomplish this by a 'bureaucracy of behaviourism', which comprised the sum total of rules and exceptions upheld by the means of violence. The worsening security situation caused by the conduct of the genocide and by the war with the RPF meant that personal safety was a primary concern for many Rwandans. In this context of insecurity, the bureaucracy of behaviourism was employed by the coercive powers of state authority in service of the genocide, in which many men were confronted by government forces and cajoled into joining the civilian 'war' effort. It was expected that Hutu fulfil their "civic duty" by contributing to the on-going violence. Des Forges writes that:

Burgomasters used the same forces to oblige dissident citizens to join in the genocide. They directed or permitted communal police, militia, or simply other citizens to burn down houses and to threaten the lives of those who refused to join the violence (Des Forges, 1999: 236).

Strategically, this pattern of compliance was accomplished in a number of ways. One pattern was based upon the fact that many Hutu who resisted cooperation were themselves accused of being Tutsi (by changing their identity cards) or were accused of being their accomplices, all of which appealed to their sense of personal welfare. These kinds of interventions are measures based upon the mechanism of *negative reinforcement*. This kind of reinforcement is designed to increase the frequency of a behaviour (i.e., government cooperation) by the removal of a negative stimulus. In order to increase compliance, the threats to personal safety were persistent features of certain domestic circumstances. To comply with the demands of authority, in line with the pre-established avenues of behaviour, meant that the threats against personal welfare would be nullified by those who submitted to the required behaviour. Thus, compliant behaviour was met with the removal of a negative stimulus in order to increase the frequency of cooperative behaviour.

Authorities also employed other strategies that were designed to reinforce the frequency of cooperative behaviour. An array of positive reinforcements, such as wealth or social advancement, were used for the purposes of genocide. The new sense of Hutu solidarity that arose from their collective 'work' appealed to a psychology of aggression, which made it possible for many young men who were not the head of a household to join the ranks of those profiting from atrocities (Verwimp, 2005). Other

*positive reinforcements* were the advantages of moving into the new hierarchy of government and militia positions created by the conflict. Material gains in terms of land, money or valuables could be acquired in a country where land and economic opportunity was scarce. These conditions of behaviourism made it rational for individuals to partake in actions that they may have found abhorrent. Concern for one's immediate welfare meant that it was rational to conform to the demands of authorities by calculating the potential consequences of one's actions.

Another behavioural strategy designed to procure conformity derived from applying a negative stimulus or sanction. These stimuli are designed to decrease the frequency of non-conformist behaviours by subjecting individuals to harmful or lethal sanctions. By consistently sanctioning individuals concerned for their welfare to end such behaviours, authorities collapsed the avenues and spaces of refuge around individuals who then would be expected to rationally comply with the governing patterns of behaviour. Hutu who did not cooperate in the genocide or were caught aiding Tutsi were threatened with an array of punishments: from fines by the local community or even with death by police or military forces. This behavioural a system of rules thus served to increase the efficiency of rational action of both cooperative and reluctant *génocidaires* in conjunction with the pervasiveness of self-preservation manufactured by a context of insecurity.

### *Insecurity and the Widening 'Net'*

To further establish the circumstances conducive for individuals to act in line with the organisation of genocide, the government used the threat of the RPF to widely define their domestic enemy and heighten fears regarding domestic sympathisers. Defining the 'enemy' in broad terms meant that the military high command focused on Tutsi "who refused to accept the revolution and wanted to re-conquer power by any means" (Des Forges, 1999: 77). This meant that *anyone* who represented an independent power base opposed to the killings found themselves targeted by the police and military. For the interim government there was no distinction between the war against the RPF and this domestic effort to consolidate power through the removal and assassination of obstructive community leaders that were opposed to the genocide. After all, the Tutsi's chosen method, according to the doctrines of Hutu Power, involved "infiltration" and

guerrilla warfare, and was designed to effectively contaminate Rwandan society by disrupting its organisational apparatus (1999: 74).

The way to identify these infiltrators and their Hutu accomplices was by way of identifying “too great [a] tolerance for Tutsi and their lack of commitment to Hutu solidarity” (1999: 75). Infiltrators were also said to disguise themselves by forging their identity cards that displayed the holder’s ethnicity. This meant that greater militia and police intervention in Rwandan society potentially suspected many ordinary Rwandans, forcing those under suspicion to verify their ethnic identity. This created the expectation that if one’s identity and intentions towards the government were unclear anyone (even ‘genuine’ Hutu) would become legitimate targets. The widely defined notion of the domestic enemy served not only to heighten security fears, but used these concerns to make it more efficient to organise a cooperative civic structure, bringing community leaders, who were once opposed to the policy, in line with the central government’s demands by forcing other civilians to demonstrate their commitments to domestic ‘security’.

The nature of this ‘security’ situation became apparent several weeks into the 1994 slaughter. During the period of ‘decapitation’ or consolidation of authority, where other ranking opposition was systematically eliminated, all people of Rwanda were “beginning to understand that a system dedicated to the destruction of the Tutsi provided no security for Hutu either” (1999: 300). There are cases where citizens expressed “astonishment and indignation” at the seizure of Hutu in their local community, stating in one example: “You are supposed to be killing Tutsi, so why take him? If you start taking Hutu, where will it end?” (1999: 300). This effort to consolidate domestic authority intensified people’s concerns for their own safety. This meant that when the time came for local communities to organise support for the genocide, the security situation facilitated the avenues for individuals to act in accordance with their rational desires for self-preservation, even against persons who were no threat to Hutu society. Those who enthusiastically participated, on the one hand, were poised to gain from the rewards offered by bribes and possessions of the victims, not to mention other common social benefits. In this circumstance, the preponderance of a situation of self-preservation compelled individuals to act rationally in terms both of their self-interest *and* of the collectively egoistic interests of establishing a Hutu State.

This state of emergency created by the war following the President's assassination added credence to the vocabularies of motive within Hutu Power ideology that premised 'Tutsi unity' and domination. The RPF, which invaded Rwanda shortly after the President's assassination due to the commencement of the mass killings, also confirmed to many the validity of the vocabularies of motive prevalent in National Radio broadcasts and newspapers at the time. These vocabularies of motive imputed an image of 'Tutsi unity', which became manifest by the RPF invasion—if the Tutsi were being killed only a genuine 'Tutsi' army would rescue them. As a military force of this 'ethnic union', the RPF invasion inspired the ideology of Hutu separatism by further contributing to the deteriorating security situation. The invasion provided a greater urgency to advance and activate the civic network of civilian 'self-defence', which would conduct the genocide.

Another vocabulary of motive within this paradigm concerned the colonial history of Rwanda under Tutsi domination. The propaganda of the early 1990s sought to project the Tutsi as a group akin to Nazism: being "nostalgic for power" and dreaming of "colonial expansion" through "killing large numbers of Hutu" that "would leave no survivors" (Des Forges, 1999: 80, 78). The story followed the argument that an RPF victory would restore the basic hierarchical structure of the monarchy and would reclaim all the property that they had occupied, implying that many Hutu holding land in a vastly overpopulated country would become destitute. This claim seemed to resonate effectively with those "cultivators who were working lands received after the expulsion of the Tutsi" during the revolution (1999: 78). These motives also involved wider economic domains (banking and highly coveted import and export licences), claiming that Tutsi influenced the domestic economy and were over-represented in influential professions. This dominance, exploitation and terror could only be expected to grow once Tutsi political domination was secured by the RPF.

The efforts at securing total societal domination went hand in hand with creating a milieu of self-preservation which could be used to assist the genocide by inducing individuals to act rationally in their self-interest in an architecture determined by authorities. This circumstance meant that when faced with the bureaucracy of behaviourism, individuals would likely comply with the demands of authority and internalise the vocabularies of motive provided by government propaganda. The

established motivational vocabularies provided a ready-made and *rational avenue* to address their fears, thereby persuading “listeners and ‘honest people’ that they are being attacked and are justified in taking whatever measures are necessary ‘for legitimate [self] defense’” (Hutu document quoted in Des Forges, 1999: 66). From the evidence presented by Des Forges, it is known that this tactic worked “extremely well” in specific cases such as the Bugesera massacre of 1992 and during the genocide of 1994. This kind of planning was made known by documents found in Butare prefecture titled ‘*Note Relative à la Propaganda d’Expansion et de Recrutement*’. It describes the strategies of “how to sway” public behaviour regarding political opponents and advocates using “lies, exaggeration, ridicule and innuendo” to “persuade the public that the adversary stands for war, death, slavery, repression, injustice, and sadistic cruelty” (Des Forges, 1999: 65, 66). In a state of total domination, self-preservation and the vocabularies of motive became the effective tools to manage society and instrumentalise genocide. Both the domestic security situation and these motives constituted a manageable cycle between social discourse and context which mutually sustained a policy of genocide directed by behavioural techniques that used the rationality of its subjects as a way to ensure their compliance.

#### *Rationality and Self-Preservation in the Military and Militias in Rwanda*

As concerning the interests of the military and civilian militias, there were great risks to be taken, yet also benefits to be gained from the conduct of the war and genocide. Without the Tutsi and RPF, the military’s standing in Rwandan society retained little hope of expanding. The Rwandan Army (some 30,000 soldiers), represented by its High Command, opposed any negotiations with the RPF, which it successfully defeated (with foreign help) in 1990. As many recruits became accustomed to the advantages of military life, much of the military dreaded the possibility of demobilisation brought about by the negotiations at Arusha.

Some political parties used the possibility of demobilisation to intensify and direct the military’s opposition toward their contention against the Tutsi by juxtaposing the military’s interests with the ideology of ‘Tutsi-RPF unity’. Other politicians, however, tried to allay these fears by suggesting that soldiers could be used for development projects and other tasks. This proposal actually backfired, and further intensified the fear that military officials would return to a life of menial labour. With

these concerns, the political stance of the military was influential in the President's decision to disavow the Arusha Accords. This decision meant that the military would remain on a war footing up until and through the genocide of 1994. On September 21, 1992, Colonel Nsabimana, "sent a top secret memorandum to his commanders identifying and defining "the enemy" in a report that sought to examine how to defeat the RPF and their partisans" (1999: 63). The report indicated that the RPF was recruiting from among "Tutsi refugees", the Ugandan Army, "Tutsi inside the country, Hutu dissatisfied with the regime in power, unemployed people inside and outside the country" and "the Nilo-Hametic people of the region" (1999: 63). This flexible and inclusive category of the 'enemy' (a feature of Hutu Power propaganda) became operative within military institutions before and during the genocide in 1994 at a time when the structure of the military was fundamentally questioned.

To preserve the central importance of the Rwandan military and its militia organisations, it was in their interests to reject the Arusha accords which called for power sharing, military demobilisation and restructuring. Embracing a hostile stance to the RPF and the wide category of 'enemies', which meant favouring warfare and even genocide, was a radical way of preserving the military's structure. Thus, from the military's perspective, peace proved to be more of a threat than the conduct of a war and the genocide. The political organisations supporting this stance of the military derived not only from the extreme base of the Hutu Power movement, but from other sectors of society that shared the general interests of Hutu solidarity. In the interest of preserving the military size and structure, the High Command opposed peace, and eventually favoured genocide in support of the interim government founded upon Hutu ideology.

In summary, the cycle of terror is a process that is composed of manipulating contexts and motivational vocabularies designed to be mutually reinforcing. This cycle is managed by a state bureaucracy and commanded by the means of violence to create a system in which individual rationality can be constrained by the manipulation of context and relied on to expedite a policy of genocide. The context of this system depends upon the resources of violence which are not controlled by the reluctant citizen. Context therefore is a manifestation of *design* and *management* to create the circumstances which forcefully compresses individuals into a behavioural subject who reacts rationally according to their desires of self-preservation. By making pervasive

this circumstance and by bringing the prefectures in line to organise local citizens to cooperate with the genocide, the interim government in Rwanda could overcome the organisational problems confronting the genocide, which was created by the dispersed geographical circumstances of the victims and the local moral bonds which protected them. By conducting centralising and ‘beheading’ operations designed to align prefects with the demands of the genocide, the architects created the conditions of self-preservation that served to expedite local cooperation from reluctant individuals. Likewise, the military also possessed rational grounds for cooperating and conducting the genocide. The desire to preserve the importance and structure of the military hierarchy also meant that these organisations possessed incentives of their own to support the interim government. Their inherent desire to preserve the structures of the military meant that many in the military rejected the established avenues for peace and opened the way for a rational acceptance of anti-Tutsi doctrines which linked the RPF with Tutsi ethnicity.

My findings in this section suggest that Bauman’s claim that “the *rationality of the ruled is always the weapon of the rulers*” is not confined to the Holocaust alone, and is expeditiously influential in other cases of genocide (Bauman, 1991: 142). Under conditions of total domination, many who directly and tacitly supported genocide saw their avenues of resistance drastically collapsed in these circumstances of destruction. Many were either killed, forced into hiding or flight, or bribed their way to safety. In Rwanda, those who reluctantly chose to cooperate with the zealous militia and military forces were placed in conditions where their rational desire for self-preservation expedited the genocide thereby nullifying the reservations of moral duty toward Tutsi. This architecture of motivation and context ensured a steady supply of civic cooperation in many areas of the country. As it turned out in Rwanda, the river called ‘rational self-preservation’, fed by the avenues of motivational discourse, ran with the corpses of victims, and along with them perished the moral dignity of those who were forced or, could not resist, the benefits of cooperation.

## **II. Resistance, Victim Self-Preservation and the Self-Fulfilling Prophecy**

The extreme nature of a policy of genocide is such that it serves to provoke calculable responses from both the reluctant perpetrator and the victimised. As I argued in the previous section, strategic violence of a genocidal sort can create the conditions which

expedite its fulfilment adding to a milieu of emergency. One of the developments I wanted to explore here is the reaction of victims to a milieu of self-preservation and show how patterns of resistance can serve to fulfil the motivational vocabularies applied by the perpetrators. In other words, victims attempting to resist the measures of genocide are forced into a milieu of self-preservation which acts as a self-fulfilling prophecy—a process that enables and confirms, rather than mitigates, the vocabularies of motive projected upon the other. Patterns of resistance in these treacherous circumstances meant that self-preserving action can amplify the cycle between context and the *prima facie* plausibility of motivational descriptions. The paradox of this prophecy is that even the victims' patterns of resistance are harnessed by the perpetrator to expedite their destruction.

A sociological account of this process was described by Robert Merton in his *Social Theory and Social Structure*. Also known as the Thomas Theorem, this process highlights the fact that “men respond not only to the objective features of a situation”, but also “to the meaning the situation has for them” as individuals (Merton, 1957: 421-2). As people assign meaning to a situation, their subsequent behaviour is determined by the ascribed meaning of the situation. These meanings about the situation are important as they contribute to specific social expectations which have been shown to be primary indicators of future social action.<sup>6</sup> Yet, without delving into detail, Merton's analysis has relevance for trying to understand the influence of social expectations upon collective behaviour. This relevance, I believe, should be extended to an examination of genocidal action as such expectations are essential to secure civic cooperation by providing a language that can legitimate perverse and extreme behaviour.

Merton's hypothetical example of the “Last National Bank” gives us a clear indication how this process works in a social situation (1957: 422). Rumours about the Bank's insolvency were circulating throughout the town, despite the bank's good standing and comparative liquidity. As people began to preserve their savings by withdrawing it from their accounts, in case these rumours were in fact true, their actions contributed to the growing expectation that the bank was indeed failing. As

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<sup>6</sup> In 2005, Finn Kydland and Edward Prescott were awarded the Nobel Prize in economics based upon their research into the power of expectations in economic cycles. They showed that these cycles were determined in large part by the expectations of production and other expectation-based forces in the economy. Cf. (Kydland and Prescott, 1982).

more depositors began to withdraw their money, the bank actually *became* insolvent. What this example reveals is that the stable financial structure of the bank was dependant upon a definition of the situation that judged the bank to be stable. The belief in the “validity of the interlocking system of economic promises men live by” was undermined by people’s action in accordance with a different definition of the situation, one where people judged the bank to be insolvent (1957: 422). Once depositors had defined their expectations in accordance with these insolvency rumours, contrary to the genuine promises of good standing, the consequences of this unreal situation *became real* by their self-interested interventions to protect their savings. In other words, the expectation of insolvency and the consequential self-interested interventions *transformed* an imagined situation into reality.

This process is evident not only under ordinary economic situations, but also within the social conditions between the established and the other. In pre-war America, Merton recognised that the self-fulfilling prophecy played a significant part in race relations (between what Merton conceptually called the in-groups and out-groups). In one poignant example, he confronts the prejudice of the ‘natural’ inferiority of African-Americans expressed by trade union members of the time. When excluding minorities from trade union membership, the unionists cited the ‘facts’ that under strike conditions minorities failed to ensure union solidarity and often broke ranks in favour of employers. Yet, because of discrimination, their exclusion from the job market meant that the strikes created opportunities for these workers that would not normally be open to them under amicable employment conditions. Based upon this ‘evidence’, unionists often adhered to doctrines of racism which suggested that African-Americans fail to adhere to the virtues of union solidarity because of a ‘natural’ or ‘historical’ tendency to cross picket lines. The failure of these kinds of doctrines rests upon the fact that the situation of discrimination, not their ‘nature’, created the propensity for some to seek new opportunities by breaking strikes, all of which reinforced the ‘evidence’ that legitimated their exclusion from union membership. As Merton described:

...by defining the situation as one in which Negroes are held to be incorrigibly at odds with principles of unionism and by excluding Negroes from unions, he invited a series of consequences which indeed made it difficult if not impossible for many Negroes to avoid the role of scab (1957: 424).

Under strike conditions, people in discriminated circumstances were invited into the jobs which they were otherwise excluded. The relations between the situation of the 'naturally-incorrigible' black strike-breaker and the targeted other share a strong procedural affinity.

In cases of genocide the self-fulfilling prophecy is a process that ensures the moral corruption, humiliation and dehumanisation of its victims. Under conditions of total domination, governments controlling the conditions of the other amplify their powerlessness by encouraging or condoning discrimination and repression. Due to these conditions of discrimination, individuals who are excluded from the established society will resort to coping with this situation by using methods which unintentionally confirm the character of the 'other-as-group'. Many bystanders may find it all too easy to conclude with what was only self-evident according to the perpetrating ideology: that the other's methods to deceive, bribe and corrupt are 'inherent traits' that undermine the established society. By acting individually to try and secure or advance their circumstances under conditions of discrimination, the other is forced to compromise the values of the established social order, thereby fulfilling the 'prophetic' tenets of the perpetrating ideology. What the members of this society fail to see is that the established order, which they support, produces the very kinds of 'facts' or regularities in the others' behaviour which they observe. By controlling the situation in which the other is held to be 'incorrigibly' at odds with the principles of the established society, perpetrating governments initiate a series of consequences which make it impossible for victims to avoid acting as the powerless and 'corrupting' other.

Under the conditions of Nazism, for example, the *Judenräte* behaviour reflected the general moral bankruptcy of the entire victimized Jewish population. The circumstances which created a milieu of self-preservation meant that individuals attempting to circumvent the conditions of their oppression searched for exceptions often at the expense of others within their own community. Deception, bribery, theft became the tools of survival for many under such conditions. As Bauman observed,

The Jews were first proclaimed immoral and scrupulous, selfish and greedy detractors of values, who used their ostensible cult of humanism as a convenient cover for naked self-interest; they were then forced into an inhuman condition where the definition promoted by propaganda could become true. The cameraman of Goebbel's ministry had many a field day recording the beggars dying of famine in front of luxurious restaurants (Bauman, 1991: 147-8).

While trying to save themselves and their families through finding exceptions to the rules of annihilation, community leaders accepted bribes, and offers from others, which supported their relatively comfortable accommodations while the others were kept under physically degrading conditions. Ultimately, victims had a choice of (temporarily) saving themselves by deception and corruption or they faced the direct path of degradation and death.<sup>7</sup>

Despite the different circumstances in other cases of genocide, the distinct pattern of this self-fulfilling prophecy is evident in other cases. Stalin's interventions in the rural Ukraine in the 1930s present us with examples which confirmed for Soviet officials the existence of the 'Kulak'. One of the most common forms of resistance mounted by farmers was explicitly self-destructive—in terms of property and their own lives. Rather than surrender their property and the only way of life they have ever known to a new collectivised system of agriculture that reduced them to a newly relegated class in Soviet society, many farmers chose the path of self-destruction which confirmed to the Soviets the identity of the self-interested and recalcitrant kulak. As I cited in chapter Three, the woman who set fire to her farm, rather than relinquishing it to the state, was indicative of the kind of resistance behaviour. During the famine murder was also quite common. Friends and family members would kill in order to steal from each other for "a few pounds of flour, and few loaves of bread" or even revert to cannibalism to survive (Conquest, 1986: 257). When cases such as these were discovered by authorities, 'suspects' were not brought before traditional courts, but transferred to the Security Police where most were shot.<sup>8</sup> Cases of suicide were also quite prevalent, especially when under investigation by government authorities. Suicide was viewed as an attempt to assert one's individuality against the state's desire for cooperativeness and, as a subjective act, was thus understood to be a subversive way of defying the obligations to the state.

As juxtaposed to confessions made popular by the show trials of many senior officials, suicide was seen as *the* subjective defiance of the Soviet state in its struggle against a world enemy. In the daily lives of its subjects, "what mattered was not inner

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<sup>7</sup> A similar circumstance was also observable in Germany's 'war of annihilation' in the East. Following the advances of the army, thousands of destitute refugees fleeing the war and the pogroms were depicted by German news reels (i.e. propaganda films) as destitute 'hordes' fleeing west to undermine and contaminate German living space.

<sup>8</sup> Conquest reports that 325 cannibals (75 men and 250 women) from the Ukraine were still serving life sentences in the Baltic-White Sea Canal prison camp in the late 1930s.

belief in the propositions of the ruling ideology, but following the external rituals and practices in which this ideology acquired material existence” (Žižek, 2002a: 90). Suicide was seen as a defiance of these “external rituals” of obedience. Revolutionaries at the show trials, in confrontation with false charges, were expected to show their “ultimate fidelity to the Revolution by publicly confessing” (2002a: 97). Following high-profile suicides, the government sought to deprive such actions of their subjective authenticity. Thus, these show trials were “instrumentalized, [and] reduced to the ‘most cunning’ forms of the counter-revolutionary plot” to bolster the movement’s image of struggle (2002: 104). The ‘real’ kind of subjectivity that was groomed by Stalinist officials was the one manufactured by the extremities of the labour camps—that of *musselmanner* who is resigned to their own fate under conditions they accept never to challenge whilst always mechanically performing the demands of government.

This ‘self-fulfilling prophecy of self-preservation’ was also apparent in the case of Rwanda. Targets of the genocide—Tutsi and Hutu ‘accomplices’ and those opposed to the interim government—were expected to await their fate calmly in their homes. As Des Forges observed: “Throughout the genocide, authorities had tried whenever possible to send Tutsi back to their home communes to be killed” (Des Forges, 1999: 567). In much the same manner as in the Ukraine, self-preserving behaviour in Rwanda was viewed as a conformation and exposure of the existence of ‘Tutsi unity’ and their Hutu ‘accomplices’. The lists of targeted people drawn up by government forces sought out subjects at their places of residence or were instructed to go there after being captured by government forces. A paradoxical outcome of this strategy, however, was that it increased the avenues for resistance as supplied by their Hutu neighbours willing to hide fleeing Tutsi. Des Forges observed

In some cases, however, home communities offered a strong defense of local Tutsi. In Maraba, people protected an elderly woman out of gratitude for her husband’s generosity in sharing his land with others (1999: 567).

Despite these avenues for resistance, the practice of sending Tutsi to their home commune also increased the probability of targeting those Hutu ‘conspirators’ who were inclined to support their Tutsi neighbours or who were opposed to the genocide. In a case where the community was divided over the fate of a suspected accomplice, the sub prefect urged the community to support the genocide and suggested that “certain persons whom we took to be our brothers are hiding secrets from us” (Sub

prefect quoted in Des Forges, 1999: 568). In this case as with many others, the efforts to defend a member of the community were seen as an indication of the accomplices' determination to protect Tutsi. Any protection of Tutsi was thus used to fulfil the prophecy of the Hutu accomplice who is 'keeping secrets' in support of an invading army. By bringing forth greater suspicion and fear of allegiances within the Hutu community, authorities sought to promote a state of self-preservation which would incline people to seek support in local communities which invariably confirmed the prophecy of accomplices. This gave local officials even more grounds to further pressure those fearful of authorities to demonstrate their 'Hutuness' by cooperating with the government. Thus, the practice of sending Tutsi back to their local community was instrumental in fulfilling the prophecy of 'Hutu conspirators' and Tutsi infiltrators *because any form of resistance could qualify as subversive behaviour*.

Other practices of resistance also served to fulfil the prophecies of the Hutu Power movement. Their vocabularies of motive proclaimed that Tutsi were a united force conspiring against Hutu governments throughout the Great Lakes region. It was also suggested that they employed violent and deceptive tactics to undermine Hutu authority. At some sites of resistance, besieged people organised their efforts for fleeing or fighting. At Rubona in Butare and at Bisesero in Kibuye, "resisters used a tactic called "merging" or *kwiuga*", which involved "lying down and waiting until assailants had moved in among the intended victims, then rising up to face them in close combat" (1999: 217). This strategy decreased the possibility that attackers would use their firearms, because shooting would enviably create a crossfire situation endangering other members of the attacking unit. This particular strategy confirmed the propaganda that Tutsi will use deception to conceal their genuine intentions and then strike with violence against Hutu government forces. As I noted earlier, Des Forges had even speculated that due to the lack of communication between these two cases of resistance, it was likely that "the RPF had taught this way of fighting during training sessions for its adherents" (Des Forges, 1999: 217). This kind of speculation of RPF involvement is itself an indication that such resistance tactics served to reinforce the motivational vocabularies of Hutu Power by 'confirming' the existence of RPF trained Tutsi infiltrators fighting against the interim government.

Others who organised resistance measures put in place a military-style command structure to coordinate their flight from the country. Leaders of these groups

both enforced discipline in the ranks and, through a division of labour, directed strategies of resistance. When deciding to flee, they “arranged the departure of groups at different times and in different directions to increase their chances for escape” (1999: 217). This coordinated structure of resistance added credence to the propaganda that ‘infiltrators’ resembled the appearance of civilians, yet possessed battle hardened military skills from their cooperation with the RPF. The best known case of this kind of resistance occurred at Bisesero, a mountainous ridge where Tutsi fought off the military from April 8 to July 1. In another case, Tutsi fled to Bitare hill in Gishamva, “a place where Tutsi had successfully resisted Hutu attackers in the early 1960s” (1999: 495). These kinds of tactical characteristics were seen to be confirmations that Tutsi are RPF infiltrators that will fight for the invading army using strategies that the Hutu Power doctrines had predicted they would use as agents of the RPF—those that resembled “snakes”, or more often “cockroaches”, disguising themselves before they strike (1999: 401).

All these patterns of resistance may appear as ordinary, yet in emergency conditions (during war and genocide) can appear to a situated observer as a confirmation of the perpetrator’s vocabularies of motive. These kinds of resistance strategies thus served to confirm to the *génocidaires* the fact that there were Tutsi-RPF infiltrators in regions of Rwanda that required “pacification” by the military and civilian ‘self-defense’ forces (1999: 489). The conditions of self-preservation established by the conduct of the Hutu government meant that the methods of Tutsi resistance created a situation which resembled Hutu Power ‘prophecies’. Forced to survive by desperate and degrading means, Tutsi and those opposed to the genocide reacted to conditions that were beyond their control. Even their rational desire to survive, manifest in the practices of struggle, was harnessed by the perpetrators to expedite their own demise. This architecture of collapsed space very much resembled a bog which engulfs individuals in quicksand, the more one struggles to free oneself, the deeper one becomes trapped. The victims’ movements to resist thus served to deepen their entrapment; the more innovative and dehumanising ways the victims struggled, the more they appeared as the ‘legitimate’ targets of the perpetrating government.

Thus far in this chapter I have argued that there exists a mutually reinforcing cycle between context and vocabularies of motive that enables a policy of genocide. Each of these variables are managed by authorities to the specifications of design for a

new social order. I first argued that authorities can create the conditions for genocidal violence by employing violence itself against their intended targets. These actions have the potential to exacerbate existing divisions between the established and other. This was due to the reactions of the intended victims and the ability of such violence to clarify and intensify the divisions between groups, both strategies of which could be forecast and managed by the organisations of violence. Following this section, I explored the discursive-ideological part of this cycle. Through an investigation of the vocabularies of motive, I argued that the attribution of motive is a key component of the perpetrator's ideology. I claimed that they constituted distinct actions which are designed to build support for future actions. The attribution of motives are dynamic and forward-looking, in that they are able to harness the social expectations of those they seek to force into action.

Returning to the conditional segment of this cycle, I argued that the control of context, as manifest by 'emergency conditions', has the power to encourage victims to act rationally in accordance with their desires for self-preservation. Not only do the creation of these conditions add greater *prima facie* plausibility to the vocabularies of motive, but these circumstances facilitate both victim and bystander cooperation. This cycle, when viewed in terms of the patterns of victim resistance, demonstrated the power the self-fulfilling prophecy, which appeared to fulfil the 'validity' of the motivational vocabularies. This entailed that the more innovative ways the victims struggled to survive, the greater they appeared to confirm the vocabularies of motive contained within the perpetrating ideology.

### **III. The Immanent Architecture of Genocidal Logic**

In this part of the chapter I will evaluate how a grammar of genocide functions to ensure adherence based upon elements internal to its structure. Unlike the previous section, which explored the sociological dynamics of vocabularies, I will describe the immanent reasoning of ideological propositions and principles that purposely treat genocide as a temptation. This treatment of genocide as a solution is designed to achieve an adherence amongst particular societal audiences. I account for this adherence by reference to how this grammar is structured. My central argument is that because this grammatical structure houses these ideological principles in logical paradigms, they behold a level of incommensurability vis-à-vis other worldviews. Due

to the differing epistemological rules which determine ‘truth value’ within this grammar, they can become impervious to various forms of critical reason. In this section I show how this is possible.

### *The Incommensurability of Genocidal Logic*

The insularity of genocidal logic is perhaps best illustrated in reference to the structure of scientific revolutions, where one view of the natural world replaces a once-dominant perspective. The work of Thomas Kuhn (1970) suggested that if one examines the history of scientific revolutions there is an inherent incommensurability between scientific paradigms. This observation is based on an account of a descriptive theory as an axiomatic system connected to observation by correspondence rules. Kuhn maintained that meaningful explanations are derived by the interrelations of observations and theoretical rules (Brown, 2004). Observations that are expressed in a different set of these theoretical rules will employ different concepts and yield different descriptions of a single body of observations. The key factor in this view is that the observational language concepts themselves and their rules of validity are the incommensurable elements of rival scientific explanations. The non-existence of a common language in which to evaluate competing theories means that there are no theory-neutral methodological rules that will allow an evaluation of these theories. Kuhn’s account of scientific revolutions is even more unsettling to scientific realism when one considers that such theories “differ as to what features or considerations provide the test of their truth” (Taylor, 1997: 42). Without any independent evaluative criteria, there can be no epistemic evaluation of a rival mode of scientific understanding.

Charles Taylor has argued, however, that it is possible, although not always certain, to evaluate the *transitions* between outlooks in terms of gains in practical understanding as we interact with the world. In other words, there are rational considerations that have shaped the course of the dominant scientific worldviews which are related to how we practically interact with our world. Taylor suggests that

the activity of explaining why things are as they are (what we think of as science) is intrinsically linked to the activity of determining what the good is, and in particular how human beings should live through attuning themselves to this order (Taylor, 1997: 45).

Taylor recognized here that a mode of understanding the world consists in our ability to make our way about and effect our purposes in the world, what he refers to as “the human constant” (1997: 48). This also means that it is possible to make a distinction between the inner taken-for-granted logics of viewing the world and how we determine the goods within it. Increased knowledge can thus aid our, what Martin Heidegger called our “pre-understanding”—the uncritical and underlying purposes in dealing with the world as we do (Heidegger quoted in Taylor, 1997: 48). By making explicit the links between this form of understanding and our practical capacities of living in the world, it is possible to employ forms of reasoning to evaluate rival worldviews which intertwine explanations of the world with what the good is.

In analysing the transition between outlooks, one possible form of evaluative reasoning can arise from the comparative judgement in relation to practical events and the ability of a worldview to make sense of itself vis-à-vis other views in explaining these events. In other words, a new moral outlook can make better sense of the immanent difficulties within the old view and surpass it in these respects. Another form of practical reasoning concerns the ability to influence the self-justification of a transition from one moral view to another by clarifying an immanent confusion. This error-reducing attempt—in identifying a contradiction or illuminating an issue whose significance they cannot contest—can be conducted interpersonally or socially by offering an interpretation of the person or group “which identifies these confused feelings as confused and which thus, if accepted, will bring about the self-justifying transition” (Taylor, 1997: 53). All these *ad hominem* or immanent modes of argument are *only* possible if there exists a shared moral standard or position of some kind that can pivot a transition to a new standard. In situations where cultural positions do not share such common standards the basis for *ad hominem* reasoning is nonexistent.

This examination reveals that the greater the divergence between the goals or values of worldviews the greater a political paradigm can become immunised from some forms of critical reason. This is because there are no common moral or political standards that may inspire a transition to another political paradigm. The important reason why we should come to think of the combined understandings in a paradigm format has to do with the fact that certain political grammars resemble scientific paradigms and thereby use the incommensurability of their worldview to insulate and legitimate a grammar that treats genocide as a ‘solution’. In particular,

incommensurability can be an asset in retaining the loyalty of perpetrating elites and even mass support.

To aid the disparity between rival worldviews, authorities abandon the conventional rule for evaluating the validity of rival political paradigms. The key strategy here is to fundamentally reject the common notions of the good, which can customarily evaluate the truthfulness of a rival's position. Another specific strategy that can increase a perspective's incommensurability is to adhere to views that are more factually abstract and difficult to prove, thereby nullifying the common rules that have traditionally evaluated political positions. This negates any *ad hominem* attempts to encourage a transition to another moral outlook because the human constants that mediate between transitions have been undermined, corrupted or replaced by an altogether different paradigm.<sup>9</sup> Thus, the potential error-reducing moves of *ad hominem* reason are blocked by the structure of political paradigms themselves. The incommensurability of rival outlooks is that they do not share the same adherence to the facts of a political situation. Thus, only where outlooks can agree on the genuine situation of the other can there be *ad hominem* reasoning which might pivot a change in perspective. The point being made here is that the more radically mythical the worldview, in rejecting common sense, the more immune it becomes to the efforts of *ad hominem* reasoning. Those adhering to rival political paradigms may observe the same societal events, yet their grammars—which each contain the incommensurable principles of judgment and criteria of validity—have no common criteria or standpoint on which to base comparative criticism. Understanding worldviews in terms of incommensurability allows for the possibility of entrapping individuals in a form of reasoning. By accepting the incommensurable goods of a political outlook, a new worldview can function as a logical 'trap' because the good may necessitate and encompass a series of consequential actions undertaken by states which the actor finds morally abhorrent. The operation of "sequential action", as observed by Milgram in his obedience experiments, can trap subjects in such a situation (Bauman, 1991: 157).

Once a subject agrees to partake in a course of social action (like an experiment or even a political movement), and assume the obligations and benefits bestowed to

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<sup>9</sup> One important concern suggested by Taylor's critique is that for an outlook to become immune from *ad hominem* reasoning there had to be no common cultural standards which may found a transition. However, in many cases of domestic genocide the victim and perpetrator do share the similar cultural foundations. The key difference here is that political paradigms can also share a common cultural milieu, yet this commonality does not entail that they are themselves commensurable. Cf. (Pocock, 1989: 273).

him, an individual can be entrapped and dominated by his initial commitment. A decision to abandon a political movement, for example, entails that his past actions to support the movement were somehow misjudged. In other words, to deny the further intensification of a political commitment undercuts the subject's own moral position which agreed with the values of a movement to which they initially committed. As Bauman suggested, "the unwillingness to re-evaluate (and condemn) one's own past conduct will remain a powerful...stimulus to plod on, long after the original commitment to 'the cause'..." (1991: 158). As I shall examine in the next section, personal consistency (between actions and judgements) can be a powerful force which can compel and change an individual's moral outlook. Thus, should the first premise of a political paradigm be accepted—as it is inspired by the use of force, indoctrination or deception—the interventions and policies following from this position can become both easier to accept and more difficult to relinquish, since they are based upon a grammar that is incommensurable to other worldviews. The eradication of middle ground, the impossibility of blending or coexisting political outlooks, prevents a clear discursive way-out once the assumptions about the other are accepted.<sup>10</sup>

The importance of this argument for the evaluation of genocidal grammar is that it suggests that there is no rational path of contestation where the first principles of an ideological outlook can be undermined by an appeal to shared standards. The particular problem for this path is that governments seeking genocidal solutions destroy or restrict all institutional forms of *ad hominem* reasoning. Suppressed by the practical desires of keeping order through total domination, the governing authority repressively prevents the formation of critical reason. Arendt's account of force (versus power) is informative of a fundamental attribute of this genocidal scheme, since force is used to eliminate forms of communication set within a given community. Under conditions of total domination, incommensurability is thus actively promoted by discouraging any factual evaluation based upon another mediating political perspective. The government actively seeks to mitigate the formulation of rival explanations in its struggle against the other.

My claim is that the power of a political grammar that instrumentalises genocide rests significantly upon the incommensurability of its logic combined with

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<sup>10</sup> G W Bush's words in the state of the union address: 'you're either with us, or you're with the terrorists' is a classic phrase emphasising and demonstrating this divide between conflicting worldviews.

the use of force to suppress institutions that organise critical reason. This does not mean, however, that a paradigm which instrumentalises genocide is actually infallible and incapable of immanent or external critique. Rather, the structure of a political grammar itself can be devised in a way that makes it less susceptible to forms of critical reason. Specifically, this may help to explain why genocide is often ended not by fractures within the perpetrator's institutions, but rather from the external forces of a rival authority. In the following section I will examine two other immanent traits of political paradigms which aid their mass appeal.

### *Infallibility and Consistency*

The fundamental attribute common to those authorities that conduct genocide is a political grammar that beholds the attributes of *infallibility* and *consistency*. This image of infallibility, conveyed to the movement's core constituency, is based not upon the enlightened intelligence of an elite or cult of personality, but instead on the 'correct' interpretations of the "essential reliable forces in history or nature, forces which neither defeat nor ruin can prove wrong because they are bound to assert themselves in the long run" (Arendt, 1968: 349). Elites in this case see themselves not only as accomplished and effective representatives of the people, but also as interpreting agents of reliable, underlying and Universal forces whose task it is to unmask the sources of contamination in society that are causing current societal problems.

The supposed infallibility of these Universal forces is interwoven and sustained by demonstrations of its consistency through time. In many cases, unrelated and coincidental events are interpreted as expressions of their opponents' skill and ability to attack and uses these threatening features to build a consensus for its vision. As I have described earlier in the case of Rwanda, the clearest example of this narrating of coincidental events came from the government's strategy of manufacturing 'subversive activity' by creating the condition in which victims unintentionally fulfil the perpetrator's ideology. The elimination of coincidence is also accomplished by selectively interpreting events and individual actions in service of their worldview. This demonstrates the narcissistic tendency of these ideologies to reinforce the infallibility their views by establishing an aura of false consistency that mimics the 'reality' of scientific laws concerning events which attest to the 'Nature' or 'History' of their current struggle against the other.

*The Conditions of Consistency and Infallibility*

Arendt (1968) was the first to identify these formal elements of infallibility and consistency as compelling characteristics of totalitarian authority, because they were situated historically in a time when many experienced an atomised condition of individualization following the destruction of the old political class-based system. The importance of this transition to a mass-based political system meant that political views were not regulated according to its traditional class hierarchies. Public susceptibility to such radicalised views of the other was a result of societal conditions that could not effectively integrate the majority of the population into established political institutions. By no longer being integrated into the political structure, the “masses”<sup>11</sup> became more susceptible to the consistent explanations offered by radicalised worldviews (Arendt, 1968: 311). This was made possible because the traditional class-based political parties and civic organizations nullified their core beliefs by collaborating with the dominant authoritarian leaders. It was thus the totalitarian movements which first appealed to mass support by suggesting that the underlying forces which infringed upon society could be unleashed by a new political paradigm. These movements thus appealed to the frustrated expectations of success in societies plagued by economic stagnation and social malaise which, according to Arendt, was characterised by the personal conditions of loneliness that constituted a ‘mass society’.

Arendt complemented this account of mass society with another insightful explanation of why traditional class-based politics gave way to totalitarian ideology. Regardless of the social needs created by modern society, the susceptibility of the population to totalitarian movements derived from the form of their explanations of social and political problems. They uniquely offered consistent and logical explanations to all political problems that took away the randomness of the political atmosphere. The fictions of the first totalitarian governments (the Trotskyite conspiracy and the Protocols of Zion), all “contain[ed] an element of plausibility” which was extrapolated into a fiction that was “removed from all plausible control by individual experience” (1968: 362). The advantage of these explanations was that they were not restricted by the inconsistencies and randomness of the real world which

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<sup>11</sup> Arendt defines the term: “...masses applies only where we deal with people who either because of sheer numbers, or indifference, or a combination of both, cannot be integrated into any organisation based on common interest, into political parties or municipal governments or professional organizations or trade unions” (Arendt, 1968: 311).

naturally favoured the explanation of events from a variety of positions. Rather, the goal of totalitarian government, she suggested, was to interpret, reduce and explain all the randomness and problems of the world by reference to the regime's core contentions.

### *Organisation and Consistency*

As I noted earlier, the uniqueness of totalitarianism was that it incorporated these attributes of reductionism and consistency into the structure of its organisations. The government performed as if the contention with the other actually existed, effectively transforming the propaganda from contestable milieu into a chief element of governmental reality. Thus, the central explanation of social problems based upon the fictions of conspiracies became interwoven with "the functioning of the organisation" (1968: 362). So long as the organization existed, its appearance would be "more convincing than any argument or mere ideology can ever be", since the contention "was being realised every day in the functioning hierarchy of a political organisation in whose framework it would have been very "unrealistic" to question it" (1968: 362). Thus, for those audiences which accepted the conspiratorial premise of these ideologies, consistency in upholding this contention as embodied in the government became a vital component of authority. Ideologies are thus adhered to because they offer consistent and 'attainable' solutions to the problems facing society as realised by the workings of government. Yet, the question that remains is how is it that consistency encourages others to conform to such fictions.

There exists strong social psychological evidence which suggests that an authority, independent of the contestable social conditions of mass society, can maintain a level of conformity when it performs its tasks reliably and consistently.<sup>12</sup> The work of Stanley Milgram in his experiments on obedience to authority demonstrated that authority figures who were viewed with a measure of legitimacy and performed their duties consistently commanded the obedience of subjects in administering harmful orders. In an experiment of forty subjects, 26 fully complied with the experimenter's orders to administer a scale of supposed electric shocks (from

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<sup>12</sup> Daniel Bell has argued that the concept of "mass society" is an excuse for radical evaluations and romantic notions of the past that do not correspond to existing social and political conditions. Such evaluations are "completely riddled by value judgments" and ignorant of any history of social groups (Bell, 2000: 28-9).

a “Slight shock” 15 to a 60 volts to a “XXX” shock of 435 to 450 volts) to a confederate who was to be judged on “learning tasks” (Milgram, 1995: 27). All subjects in the first experiment progressed until the 300-volt stage that read “Intense Shock” (1995: 27).<sup>13</sup> The procedure that was to be administered by the subject was clear and consistent. Shocks were applied to incorrect responses that were revealed by a light and the subjects were asked by the experimenter to “move one level higher on the shock generator each time the learner flashes a wrong answer” (1995: 28). As one would expect, subjects showed noticeable signs of stress and when appeals were made to end the trials, the experimenter responded consistently with a set sequence of verbal “prods” spoken in a firm, but not impolite manner (1995: 28). Milgram discovered that experimenter inconsistency in relation to the treatment of the confederate (the tested and unseen other) and to the subject decreased the conformity of subjects to the experimenter’s requests. A consistent structure enacted by a presumed legitimate scientific authority was one significant factor, Milgram suggested, that influenced the subjects’ conformity to orders that were unambiguously harmful.<sup>14</sup> One conclusion was that consistency—in the form of logically directed goals to accomplish a particular task—was determined to be a significant element of obedience to authority. Consistency, I would argue, reduces the obvious opportunities to question an authority’s judgment, thereby making an authority appear more adequate to be in control of the experiment. Inconsistencies, on the other hand, may signify to the subject that there exists an *immanent fallibility* of the authority’s position and hence an alternate avenue for critical interpretation and non-conforming action.

This breakdown of consistency, as I shall examine in the next section in a discussion of dissonance, is viewed by many cultures as a fatal cognitive error that demands correction. The importance of these findings for my investigation here is that Milgram structured the experiment as to examine the behaviour of subjects in direct confrontation with the imagined other by conforming to the demands of a governing authority who expressed their intentions consistently.

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<sup>13</sup> Seventy-five percent of the subjects in these experiments believed that the shocks they were administering were real (Kressel, 2002: 159).

<sup>14</sup> The one notable and plausible criticism of this experiment by Ross and Nisbett suggested that obedience was procured not on pure obedience to authority, but rather on the confusing situation that impaired a clear “definition of the situation” that would have restricted compliance (Kressel, 2002: 160). In any case, this argument contends that the *situation, not the experimenter* was ambiguous and therefore holds no direct bearing on the proposition being evaluated.

### *Consistency, Conformity and Dissonance*

Recent research by Straus indicates that the estimated number of *génocidaires* in Rwanda numbered 170,000-210,000 people (Straus 2004: 94). Although the author maintains that most of the killing was accomplished by “a small number of armed perpetrators and especially zealous ones”, this finding indicates that sociological processes of conformity were likely involved in promoting these actions (2004: 95). Research in social psychology suggests that certain types of social situations can produce stark changes in beliefs about one’s social situation or action, changes that also have been shown to endure through time. Cognitive dissonance has been found to produce these kinds of enduring changes in opinion resulting from common social situations. In this section I will examine how dissonance-producing situations can account for the adherence of ideals amongst those involved in atrocities.

Although no social scientist or scholar of genocide has examined the effects of dissonance and social conformity, Mark Levene (1999b) has presented a theory suggesting that the influences of the international capitalist system can add pressure to “realize the unrealizable” through radical policies, including genocide. He argues that “the imperative to modernize and compete within the capitalist world system...provides the primary wellsprings and motor for the perpetration of genocide” as it entraps states “in a dilemma of perception and self-perception” where they “intensely perceive themselves to be weak, yet feel that they *ought* to be strong” (Levene, 1999b: 46). States holding such self-perceptions “are prepared to go to the greatest lengths to remedy their perceived shortcomings” and will take *any* ‘short cut’, even committing genocide, to achieve modernization so as to compete within the international system (1999b: 47). Although Levene gives us no step-by-step account of how this practically occurs in a case of genocide, he does suggest that there are external as well as internal “pressures” to compete through societal modernization. When minorities, for example, pose threats or obstacles to progress within this order, the state’s chances “for ‘taking it out’ on some ‘scapegoat’ group...is greatly magnified” (1999: 46). The candidates in this category are states “who still perceive of themselves as nation-state players in the international system’s race” whose national tension, created by the disparity between their self-image and current reality, is the “well spring” of genocidal solutions (1999: 49). Although this form of argument is not unique in the social sciences, Levene is the first to apply this theory to the occurrence

of genocide.<sup>15</sup> Levene thus maintains that genocidal ‘solutions’ are revealed as ‘short-cut’ temptations in dealing with genuine self-image inconsistencies in relation to the world system of nation states. His theory suggests that genocide is employed instrumentally as a fast route to modernisation arising from external competitive challenges with other states. Although I think Levene’s theory overlooks the importance of a monologic-introspective drive to restructure the society (as exemplified by the perpetrator’s paradox), his theory does raise the important issue of a society’s self-image and their political reactions to this judgement.<sup>16</sup>

One way that societal conditions can promote dissonance is when a society’s own self-image is incongruent with its experienced circumstances. In other words, those individuals who experience a tension between collective expectations about their own society and their current circumstances may choose to resolve this tension by adhering to views against the other as an avenue to reduce this tension. Views may change to embrace radical and consistent forms of accounting for social problems that reject the basic principles of common sense and the world of facts. The desire for a consistent explanation of the current social situation, which can offer a way of reducing dissonance, does mean that the political can be corrupted by those skilled at gathering support for fictional and unrealistic struggles. A devout adherence to a radical political grammar may thus be symptomatic of a political condition where

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<sup>15</sup> This argument has been employed most notably by Daniel Bell in his contention against the concept of mass society as it applies to American politics. Under his view, “*Social tensions are an expression of unfulfilled expectations*” which are seen as a contributing factor to the development of radical, mass based, political movements, rather than any general idea of a mass society of atomised individuals (Bell, 2000: 31).

<sup>16</sup> Levene is correct to note that genocidal governments seek a consistent self-image, but, as I have argued, this effort to maintain consistency through genocide is not based entirely upon any sense of external competition with other states—that is, motivations which have a fundamental utilitarian basis. Rather, I have contended that a perverse obsession with creating the new *stronger* self-image, based upon a destructive contrast with the other, is the key presupposition to the temptation of genocide that can account for its performative paradoxes. Therefore, the limitation of Levene’s theory is that it imbues the suppositions behind genocide with an attribute of utilitarianism that is, upon closer examination, nonexistent. As acts of “risk taking”, such as genocide, are policies seen by Levene to be a quick ‘solution’ to a ‘problem’, his theory can only treat the contradictory outcomes of this policy (the paradoxes of genocide) as aberrations, rather than as expressions of other underlying motives or set of driving forces. The paradoxes of genocide are neglected for the reason that consistent external motives—desire for economic or regional domination—are privileged as the ‘real’ underpinnings of genocidal policy without sufficient critical argument. Likewise, this view entails that problem populations must somehow obstruct these utilitarian efforts in ways that actually exists and that apply to the systematic representation of the other as a group, where genocide can, with foresight, ‘solve’ the ‘problem’. The concern with this assumption is that there is no correspondence between ‘problem populations’ and the desire to gain a greater international standing through genocide and economic development, unless one assumes that the contentions about the other—as obstacles to greater power—are *actual* representations of the domestic situation.

many experience a stark conflict between their society's self-image and their current conditions. These political grammars, should they hold an adherence all of their own, can also be managed to function as a wedge by expanding the disparity between self-images of greatness and a society's current condition. What is important to recognise in these circumstances is that states possess the opportunity to build upon and manipulate these conditions and exacerbate social tensions, which can then be relieved by conforming to discriminating behaviour.

Cognitive dissonance, as contrasted with the sociality of reducing tension, is a social psychological theory that suggests that when two related cognitions are mutually inconsistent, one of them will change to restore a coherent consistency under certain conditions. Rather than ascribing a cognitive-metaphysical value to this theory, it has recently been reinterpreted by some scholars in social and linguistic terms where it has precedence in existing research.<sup>17</sup> The assumption by the cognitive dissonance school is that inconsistency between opinions and actions causes "a form of psychological discomfort" that is corrected by a change in one's opinions (Harmon-Jones & Mills quoted in Neuman and Tabak, 2003: 266). This occurs when conflict is experienced by the subject, which assumes that the greater the experiential performance the greater the dissonance and thus the more inclined people are to change in favour of consistency. The results from this school of research indicates that when opinions are changed as a result of dissonance, "this cognitive activity had a relatively permanent impact" (Aronson, 1995: 226). This means that conditions which foster opinion change through dissonance and self-justification can have long term effects upon people's views.<sup>18</sup>

In a replication of an earlier study, Jonathan Freedman performed an experiment where children were admonished with either mild or severe threats not to play with an extraordinarily attractive toy. In both mild or severe groups, the children complied with the demands not to play with the toy, but when presented with the toy several weeks later to freely play with, it was the children who were harshly

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<sup>17</sup> Cf. Beasley and Joslyn (2001), and Neuman and Tabak (2003).

<sup>18</sup> The inherent assumption within experimental psychology is that discoveries are seen to uncover some universal dispositional rules of the human condition. These "nonrhetorical" approaches, as Neuman and Tabak have termed them, can be contrasted with a rhetorical approach to dissonance which claims that such changes in opinions can be traced to interactional sources, rather than cognitive ones (Neuman and Tabak, 2003: 254). In the present case, debates about the 'true source' of this tendency are not relevant to or infringe the thesis being described here, although I strongly suspect that dissonance is a consequence of some, yet unknown, relationship between the nature of syntax and social interaction, rather than a vague notion of 'cognition'.

admonished that chose to play with the toy. It was argued that the children who were confronted with a mild threat had “little external justification for this restraint” and at the time of initial threat “they had a much stronger need for *self*-justification” (Aronson, 1995: 226). In other words, children who chose not to play with the toy needed to convince themselves that they weren’t playing with the toy because they ‘really’ did not like it. This means that the cognition about the toy’s attractiveness had changed in congruence with the child’s decision not to play with the toy due to the mildness of admonishment.

In our present case concerning regimes that openly treat genocide as a temptation, dissonance means that opinions may be susceptible to change or might be reconfigured to embrace forms of reasoning that seek to resolve a tension between two conflicting cognitions. A common scenario in which dissonance can be experienced is when individuals are compelled by conditions or direct threats to act against their own moral judgements concerning the other. This creates dissonance that can be relieved by changing their moral judgements about the other in congruence with their compelled actions. The assumption here is that opinions can be compelled quite permanently towards accepting a violent worldview, despite the lack of actual evidence that such threats (embodied by the other) are genuine. The practical consequence of this scenario according to cognitive dissonance theory is that the less severe the prods designed to compel behaviour, the greater the influence of dissonance. Thus, it is more effective to secure opinion change without direct and serious threats because these measures reduce an individual’s experience of dissonance.

Alternatively, in such circumstances governments may require citizens to participate in discriminatory acts—from reporting on suspected people or conducting searches—which may conflict with their beliefs about the other, hence increasing citizens’ cognitive dissonance. To reduce the effects of this dissonance participants could ‘choose’ to change their prior opinions about the other and the regime, making them consistent their actions in support of the state. Thus, the dissonance that arose out of the conflict between their views of the state’s policies against the other and their decisions to comply, meant that to maintain personal consistency their view about the other would change in congruence with their actions. These changes can increase the possibility that they will conform with more violent actions against the other in the future. Moreover, other research has also observed that these morally disturbing

actions can create a defence mechanism which can actually intensify views against the other. The social psychologist Neil Kressel suggested that participation “in the killing left many SS men feeling anxious and unsettled” (Kressel, 2002: 142). To balance the situation, in line with the paradigm of oppression, this tension was aggressively attributed to their enemies, “the perceived source of their discontent” (2002: 142). Consistency between compliance with state actions and beliefs about the state can foster greater commitment based upon the desires for personal consistency.

The importance of consistent political grammars is thus that they offer an established avenue to resolve the conflicts created by dissonance-producing situations. By offering a consistent explanation and ‘solution’ to a troubled political condition, grammars can increase their adherence among the population without reference to the validity of their judgements. Specifically, a method to resolve dissonance can be accomplished by a change of opinion into already-established avenues of prejudicial social mores or political positions in reference to the other. The important point to be recognised here is that these doctrines are portrayed and organised in such a manner as to address and resolve the tensions arising from societal conditions. What makes these radical grammars more palatable is their *context* in situations of dissonance and their *consistent* explanations designed to redress these tensions.

The conclusion to be drawn from this discussion is that *personal consistency* in terms of the value judgements of others is not only a strongly established psychological tendency, but also a cherished value of public life<sup>19</sup> that can affect the likelihood that radical and fictitious political grammars are adhered to by parts of the population. More importantly, governments which actively incite and recruit participation in discriminatory actions in accordance with their views of the other can increase conformity with these views and greater forms of violent participation because they offer avenues to reduce social tensions.<sup>20</sup> In other words, authorities use strategies not to produce direct ideological commitment, but primarily behavioural compliance which later creates a circumstance where dissonance may be resolved by greater

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<sup>19</sup> It is a successfully proven political strategy to portray one’s political opponent as inconsistent, as the 2004 American Presidential showed, when John Kerry was seen to currently oppose a war which he initially voted in favour.

<sup>20</sup> There are other techniques that are associated with this pattern of action and conformity, most notably the “foot-in-the-door” effect. An experimentally verified technique, the ‘foot-in-the-door’ shows that “it is easier to gain compliance with a large request if one first gets someone to go along with a much smaller request” (Kressel, 2002: 133). For experiments revealing the power of this effect see Aronson, 1995.

ideological adherence. So long as individuals possess a rational desire for personal consistency, the presentation of consistent solutions to the problems of society can gain greater public adherence when situated within a context of dissonance producing social conditions.

#### **IV. Genocide, Nietzsche and Totalitarian Grammar**

The previous sections of this chapter have examined how a policy of extermination could be achieved by examining its external conditions of application and a grammar's immanent structure. This final part of the chapter examines the substance of a political grammar which privileges forms of violence, like genocide, as necessary or even desirable instruments of domination. As morally abhorrent as these methods are, the principal elements of this grammar can behold a seductive adherence all their own, regardless of the social conditions imposed by governments or spontaneously developed by 'invisible hands'. This means that political ideals can have an attraction all their own for those possessed by the lust to dominate. In this final part I shall examine the principles of this grammar manifested in its vision of society and those ideally disposed to govern this milieu. I argue that the principles underpinning Friedrich Nietzsche's philosophy give us a model of a coherent and accessible political grammar that embraces total destruction resembling the general grammatical patterns underpinning genocidal governments. I do not claim, however, that Nietzsche has inspired any modern form of totalitarianism—there is no causal historical link being professed here. Rather, I understand Nietzsche's philosophy as a testament to how various kinds of general principles can form a coherent understanding of a kind of public, and that these general principles share a strong affinity with those political versions of speech that have been substantively developed—that is, 'spoken'—by genocidal movements.

Nietzsche's grammar, not unlike other versions of the political, seeks to challenge other versions of the public in all their societal manifestations. His (1968) vision of public life, unlike other theories of politics, contains a grammar of societal design and vision of rule which purposely intends to stand alone and repel other patterns of public life. He sought to accomplish this isolated stance by critically undermining the entire basis of these rival patterns of existence, and by embracing methods of harshness and cruelty designed to humiliate and utterly destroy its

opponents. What legitimates its perverse and radically menacing methods of rule are principles which conceive of rival cultural and political patterns in new corrupting ways.

Nietzsche's view of the public did away with many traditional assumptions of the political. The first was the domain of the political, the polis, once conceived in contrast to the private. It was possible to nullify this distinction between private and public because he "identified culture as the crucial site where the contest for total power would be decided" (Wolin, 2004: 472). Culture as the prime object of struggle was selected for its total pervasiveness of human life, spontaneously diffused, as Edmund Burke thought, throughout society as a 'natural' rather than coordinated order. Culture thus encompassed and ran through the entire spectrum of life from authority, obedience and social norms, to industry, education and military institutions. Thus, a strong theoretical tendency in Nietzsche's work strove to prioritize the control of culture over the traditional notions of the public. Culture was thus seen as an overarching domain and primary site of political contestation. This allowed Nietzsche to relocate traditional notions of politics, such as class, inequality, domination, war and revolution into cultural relationships. This made his vision *all encompassing*, in attempting to identify the sources of opposing political doctrines.

Nietzsche's ideal character in his politics of culture was *homo creativus*—"a world creator of value, beauty, and meaning, the stuff of great culture" (2004: 474). Unlike Karl Marx's character of *homo faber* (the demiurgic power intended to bring the material world into existence and sustain it by the mind-numbing demands of production by the vast majority of humans), *homo creativus* for Nietzsche was the tiny minority that delighted in cultivating their minds. *Homo faber's* opponent is thus the few who exploit the many, whereas for *homo creativus* the few are threatened by the many who exploit and vulgarise the values of the few—"all the swarming 'cultured' vermin who feast upon the sweat of every hero!" (Nietzsche quoted in Wolin, 2004: 474). This view of the public no longer treats the common good as a necessary feature of political life, and instead treats it as an oxymoron; what is common can never be good.

"Good" is no longer good when one's neighbour mouths it. And how should there be a "common good"? The term contradicts itself: whatever can be common always has little value (Nietzsche quoted in Wolin, 2004: 460).

These cultural values that apply to the mass of the population diffuse themselves throughout the hierarchies of the society. Thus, the idea of the good is the expression of the herd morality as it is a sign of the power of the community. Culture as it is possessed by the herd thus serves to oppress the nonconformists who do not fit within the established rules of culture with its animus against the ‘unique’ and ‘different’. Disdain for culture is thus an attempt to reclaim the greatness embodied in the “*Ultimate Man*”, those who have been seen as “contemptible” by the majority—“They have something of which they are proud. What is it called that makes them proud? They call it culture...” (Nietzsche, 1969: 45).

For Nietzsche cultural values are not “the social representations of a disinterested search for what is true or right” (Wolin, 2004: 461). Instead, his philosophy viewed culture as harbouring values of truth which a society institutionalises and enforces in order to preserve its power and existence. Consequently, all institutionalised values and moral codes are seen as a projection of a physiological instinct to power cloaked by a language of objectivity and truth. Nietzsche wrote,

All events that result from intention are reducible to the intention to increase power...The criteria of truth resides in the enhancement of the felling of power (Nietzsche, 1968: 349; 290).

I consider life itself instinct for growth, for continuance, for accumulation of forces, for *power*: where the will to power is lacking there is decline. My assertion is that this will is *lacking* in all the supreme values of mankind (Nietzsche, 1990: 129).

The culture of the herd thus appears as a lack of instinct and vitality, where the common and weak survive to propagate and hence degenerate mankind by crowding out and feeding off the new, strong and unique.

This abhorrence with the many embodied in culture directed Nietzsche’s fury towards all discourses and institutions of cultural levelling (democracy, socialism, religion (Christianity)) and their notions of truth. To thus undermine the basis of culture, Nietzsche proposed to provoke a crisis in the herd by eroding their foundations in truth. He wrote,

Man projects his drive to truth, his “goal” in a certain sense, outside himself as a world that has being, as a metaphysical world, as a “thing-in-itself”...His needs as creator invent the world upon which he works, anticipate it; *this anticipation (this belief in truth) is his support* (Nietzsche, 1968: 299; emphasis added).

His gross distaste of the many manifested in ‘culture’ fuelled Nietzsche’s drive not merely for destruction of ‘Truth’, but rather for a place where total destruction could serve a singular vision to revivify heroic actions embodied by a new elite that would bring greater value and new meanings to the human species—a *drive that would reclaim the value of high culture*. The Few who embody the greatness of ‘high culture’ were described as gods or “new philosophers” or “*Superman*” with a privileged standpoint which should be used to attack, expose and subvert the entire cultural foundations (morality, aesthetics, spirituality) of their opponents (Nietzsche, 1969: 45). The Few are thus the “human beings who are new, unique, incomparable, who give themselves laws, who create themselves” (Nietzsche quoted in Wolin, 2004: 461). By their ‘evil acts’ against the common ‘good’ professed by the herd culture, this elite is deemed essential for the “preservation of the species” by “overcoming” the pervasiveness of decadence through the revivification of culture—““Preservation of the species” is only a consequence of the growth of the species, i.e., the overcoming of the species on the road to a stronger type” (Nietzsche, 1968: 299).

Nietzsche thus legitimates the politics of this ‘evil’ (that is, the anti-common) elite as an urgent response to the cultural decay of the species. For the extraordinary elite to dominate they must embrace heroic virtues which are seen as manifestations of the will-to-power. Thus, the signs of cultural decadence are suggested by the pervasiveness of weakness, submissiveness, mercifulness of herd culture, all of which corrupts and mutually excludes the assertiveness of the will-to-power.

Wherever the will to power declines in any form there is every time also a physiological regression, a *décadence*. The divinity of *décadence*, pruned of all its manliest drives and virtues, from now on necessarily becomes the God of the physiologically retarded, the weak. They do *not* call themselves the weak, they call themselves ‘the good’... (Nietzsche, 1990: 139).

If the species is to be preserved and extended into new heights, the will-to-power must be ‘liberated’ by being embodied in an elite who will challenge the weakness possessed and preserved by the many and their virtues of ‘goodness’. This struggle can only be accomplished, Nietzsche suggested, by embracing harsh, demanding and ruthless values embodied by “a master race whose sole task is to rule, a race with its own sphere of life with an excess of strength for beauty, bravery, culture, manners to the highest peak of the spirit...beyond good and evil” (Nietzsche quoted in Wolin, 2004: 462). Thus, this elite assumes the privileged standpoint situated atop, yet also

inside the species, simultaneously operating the mechanisms of rule from a perspective capable of encompassing the species.

For this is our height and our home: we live here too high and steep for all the unclean and their thirst...(Nietzsche quoted in Wolin, 2004: 471).

So let us live above them like strong winds...And like a wind I will one day blow among them and with my spirit take away the breath from their spirit: thus my future will have it (Nietzsche, 1969: 122).

The definition of success for Nietzsche's elite, the embodiments of 'high culture', is the "*moment when the extraordinary marginalises the normal, usurping its role to become the dominant practice*" (Wolin, 2004: 467). This struggle against the normal takes place as a renunciation of the 'weak' activities of normal life (of love, family, neighbours, co-workers), thereby stepping outside the traditional conceptions of rights, justice, and punishment into the privileged vantage-point assumed by the elite.

This vantage point above, yet also within the species entails going beyond reason and intellectual capability into the realm of 'instincts' without a substantively specified form. All cultural pursuits are thus unmasked as expressions power because the elite recognise a central tenet of nihilism: the meaninglessness of the world. Holding the position that all interpretations of the world are false means destroying the values by which the world has been constituted by the many and their intellectual advocates. All epistemological claims should thus be understood in purely political terms, as cultural expressions of the philosopher's will-to-power. The purpose of the elite is thus to renounce this entire world of 'truth' and to embody the preconditions of life: instinct, growth and the will-to-power.

Nietzsche's "critical totalitarianism", as Wolin writes, is meant to call attention to its "reactionary character" which takes the form of a total-relentless destruction (Wolin, 2004: 464). Nietzsche's "critical totalitarianism" embraces the idea of the self-denouncing intellect, the 'mind denouncing mind' by invoking a vocabulary that enables the mind to remake its own nature in the image of anti-mind; that is, in terms of the primordial capacities of life. The elite thus assumes a physicalist or pre-political character of the will-to-power in order to challenge the enlightened world of diversity and the interchange of knowledge established by the Enlightenment. This has consequences for the kinds of methods the elite employ in their domination of society.

One consequence of a world without truth, where the mind renounces its own intellectual capacities, entails that once all has been unmasked as power, all observation rests upon appearance. Appearance is embraced because depth of intellect burdens the elite with history and precedence. “What is required”, Nietzsche wrote, “is to stop at the surface, the fold, the skin, to adore appearance, to believe in forms, tones, words in the whole Olympus of appearance” (Nietzsche quoted in Wolin, 2004: 468). When knowledge of truth is denounced for surface and appearance, *appearance is by default reality*. Nietzsche wrote,

“Appearance” itself belongs to reality: it is a form of its being; i.e., in a world where there is no being, a certain calculable world of identical cases must first be created through appearance...Appearance is an arranged and simplified world, at which our practical instincts have been at work; it is perfectly true for *us* (Nietzsche, 1968: 306).

...the artist places a higher value on appearance than on reality...For ‘appearance’ here signifies reality *once more*, only selected, strengthened, corrected...(Nietzsche, 1990: 49).

This renunciation of ‘the actual’ is designed to privilege the elite ‘artists’ in their ‘high’ standpoint. This abandonment of ‘reality’ as a condition of rule is the opposite of a traditional Machiavellian vision of authority.

To exercise power successfully, “a true Machiavellian must possess a keen sense of political realities”, a deep understanding of what circumstances and strategies enhance and restrict power based upon an informed view of history (2004: 468). This form of Machiavellian power is thus active or “effectual”, continually searching for new strategies in order to survive, yet bound by the realities of the situation. Authority thus preserves a standing detachment of from the conditions determining the political, while, and at the same time, maintaining close contact with what is genuinely controlling these circumstances. Machiavelli’s famous counsels about grounding power in the knowledge of the people as they are a steady and reliable basis of legitimacy expresses this grounded attachment with reality. Although Machiavellian power is continually searching for a better position to secure its authority, it cannot be classified as dynamic. Authority under this view desires expansion, as Wolin suggests, “not because of some mission, but in order to survive” (2004: 468).<sup>21</sup> Nietzsche’s new

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<sup>21</sup> The Roman Empire’s genocidal exploits, in what is now Romania, demonstrated this Machiavellian principle of authority—should a minority become a genuine threat to a region and betray the agreements made to the empire, they would be totally eliminated. In most cases, the executive opted for preserving a “reputation of leniency” which encouraged opponents to surrender (Lintott, 1999: 50).

elite, on the other hand, are opposed to being controlled by ideas of ‘self-preservation’ and ‘natural selection’ because they negate the primal will-to-power that derives from *within* the subject. Nietzsche expressed this position most clearly by claiming it was “*Anti-Darwin*” (Nietzsche, 1968: 364). He wrote,

The influence of “external circumstances” is overestimated by Darwin to a ridiculous extent: the essential thing in the life process is precisely the tremendous shaping, form-creating force working from within which *utilizes* and *exploits* “external circumstances”...(Nietzsche, 1968: 344).

What Nietzsche argues here is that the instinctual force of the will-to-power as embodied by mankind effectually controls the circumstances for its survival; that is mankind dominates the conditions of its own strength and growth. Thus, self-preservation is only a secondary consequence of the will-to-power—“A living thing wants above all to *discharge* its force: “preservation” is only a consequence of this” (Nietzsche, 1968: 344).

The totalitarian view of power is thus principally concerned with liberating itself through revitalising the grandiose mythical and artistic elements of appearance, a *Grosse Politik* in contrast to Machiavelli’s *Realpolitik*. It despises the confines of *any* convictions that may be inspired by any ‘realistic’ worldview. “Convictions are prisons”, Nietzsche wrote, because

They do not see far enough, they do not see things *beneath* them: but to be permitted to speak about value and disvalue one must see five hundred convictions *beneath* one...Freedom from convictions of any kind, the capacity for an unconstrained view, *pertains* to strength...Grand passion, the ground and force of his [Zarathustra’s] being...Grand passion uses and uses up convictions, it does not submit to them—it knows itself sovereign (Nietzsche, 1990: 184).

Appearance can only become reality where it is dynamically based upon a grand vision that is not constrained by any kinds of realistic convictions and where it is permitted to perpetually expand within a mission-based antithesis<sup>22</sup> exacted by all the vital institutions of the elite. The performance of the grand struggle is the only determinant of action, over and against any perspective that may make appeals based upon an intrinsic knowledge of problems. This grammar does resonate in the history of totalitarian government. As Hans Mommsen has argued,

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<sup>22</sup> In Nietzsche’s *Maxims* he wrote: “42. For me they were all steps, I have climbed up upon them—therefore I had to pass over them. But they thought I wanted to settle down on them...44. Formula of my happiness: a Yes, a No, a straight line, a *goal*...(Nietzsche, 1990: 37).

[Nazi foreign policy was] in its form domestic policy projected outwards, which was able to conceal the increasing loss of reality only by maintaining political dynamism through incessant action. As such it became ever more distant from the chance of political stabilization (Mommsen quoted in Wolin, 2004: 492).

Without this subordination of realism, the dynamically enacted antithesis would be confined by other forms of consideration that may limit its struggle to overcome decadence. Thus, one can say with accuracy that as the momentum of the antithesis increases, the state's grip on reality loosens.

Machiavelli's Prince desired to exploit and incorporate the resources and power of their foes and counselled to eliminate only those opponents who were genuine conspirators and detractors of their power. Nietzsche's elite, on the other hand, desired the obliteration of the enemy because their weakness posed a threat of contagion that could undermine the heroic nature of the elite and retard the species. Totalitarian dynamics thus turns revolutionary dynamics on its head. Instead of seeking a stable position to dominate society like Machiavelli or, like the revolutionary, to acquire and overthrow the powerful and privileged, the totalitarian sets out to exterminate the weak and vulnerable elements that challenge its grand and expanding vision of strength. What gives the weak their strength is the vestiges of modern culture (a morality of equality and pity) pooled into a mass of culprits and sympathisers. Weakness has the power to thus defeat the strong, not by assault, but by arousing their pity and thereby corrupting their strength—"What is more harmful than any vice?—Active sympathy for the ill-constituted and weak-Christianity" (Nietzsche, 1990: 128).

### *The Other and the 'Benefits' of Extermination*

Nietzsche's elite possesses a singular-totalistic and aggressive drive to bring down the entire world it believes its enemies have made. The elite's privileged godlike standpoint which professes to act in favour of the species means that their enemies are depicted in dehumanising terms: degenerate, sick, decadent. This means that the elite should not pity their opponents when it is necessary to enslave, terrorise or *exterminate* an enemy, but also exalt in their total demise for the benefit of the species. The "essential characteristic of a good healthy aristocracy" Nietzsche wrote in a chilling passage, will be its accepting "with a good conscience the sacrifice of untold human beings who, *for its sake*, must be reduced and lowered to incomplete human beings, to slaves, to instruments" (Nietzsche quoted Wolin, 2004: 466). Yet, what is essential for

this new ruthless elite was based upon the conviction that “conventional politics diverted the creative energies of the best from cultural pursuits” (Wolin, 2004: 463). To barter with the decadent in order to rule meant that they exorcised influence over the strong—“And I turned my back upon the rulers when I saw what they now call ruling: bartering and haggling for power—with the rabble!” (Nietzsche, 1969: 121). This corrupting and degenerative effect became most acutely manifest in times of war. Unlike total subordination, slavery and genocide, warfare tended to decimate disproportionately “the most highly cultivated” and courageous (Nietzsche quoted in Wolin, 2004: 463). Heroism and self-sacrifice in wartime put at risk the strong and made them more vulnerable, whereas the weak, tending to avoid conflict, would likely survive at the expense of the strong. It is thus essential that the new elite operate from a special vantage-point not only atop the species (surveying it from the ‘heights’), but also from an actual position of total domination where the heroic Few could exact ‘purification methods’ without costing its strength. The ideal situation for Nietzsche’s new elite is exemplified not by war, but by total domination and terror to achieve strength with no possibility of dialogue or any kind of interchange with its decadent enemy. Nietzsche’s elite thus rule purely in *monologic* non-costing terms.

From a perspective where truth and knowledge about action remain inherently unknowable,<sup>23</sup> the appearances of weakness are the sole manifestations and ‘real’ indications of an enemy who uses cultural forms to pervasively and secretly transmute its nature. It is this all-enveloping ethos of weakness which has contaminated the social body and inspires the elite to extirpate its visible manifestations. The enemy is thus an embodied way of life, a being that can be vague or shifting in its appearances and ingenious in its disguises. The difficulty in identifying the enemy means that new kinds of intervention measures are required to penetrate into the depths of culture; ones which can mirror, counter and challenge the secret and pervasive domination of the enemy—this Himmler had in mind when he stated “we owe the art of government to the Jews” (Himmler quoted in Arendt, 1968: 360). These secret all-encompassing

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<sup>23</sup> For Nietzsche, Wolin writes, “every action is unknowable” in the sense that no two actions are the same and actual motives are “impenetrable” (Nietzsche quoted in Wolin, 2004: 461).

methods are required because of the nature of decadence,<sup>24</sup> all of which entails abandoning the old boundaries of law that ensure politics.

Operating ruthlessly on the surface of culture means the elite should follow their instincts (the will-to-power) and avoid the depths of contemplation. Staying at the level of appearance thus entails embracing a physicalist or pre-political vision of culture, one that judges only what is apparent in themselves and in their opponents. The challenge of securing the health of great culture through unmasking their opponents could thus only be achieved by identifying and struggling against what is clearly apparent: the weakness manifested in superficial physical traits. This was because Nietzsche thought that once a culture was contaminated it could not be restored to health by cultural measures alone—“Culture was insufficiently primordial, too removed from life itself, from a primal force, from the body” (Wolin, 2004: 471). ‘Curing’ a culture was to be achieved, not by overriding, reinforcing or transcending the elements over the weak, but by descending from culture into the realm of the manifestly primal and physical—“The “savage” (or in moral terms, the evil man) is a return to nature—and in a certain sense his recovery, his *cure* from “culture”” (Nietzsche, 1968: 364-5). This descent into the physical focused only on what was apparent on the surface, “those whose visible appearance (shape of a nose) or condition (ill) were the external marks of contagion” (Wolin, 2004: 471). Thus, ‘unmasking’ the concealed elements of contagion required a regime of identification which first relied only loosely on appearance, with the potential to expand their by uncovering other invisible carriers of contagion. There is thus a progressive expansion from first targeting the visible forms of weakness—those openly opposed to terror or extermination (local leaders or opposition political officials) and other self-declared elements of decadence—to exposing the *invisible* forms through more invasive terror methods. Since the ‘invisible’ targets of genocide need not have committed any act of wrong-doing—what only matters is that the victims be identified with a general category of decadence—this dynamic expansion of strength serves to efface the sentiments innocence and pity that stands in the way of extermination. The elements of contagion are thus not subjected to the traditional notions of transgressive

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<sup>24</sup> As Arendt suggested, “The Jews very clearly were the only inter-European element in a nationalist Europe. It seemed only logical that their enemies had to organize on the same principle, if they were to be the secret manipulators of the political destiny of all nations” (Arendt, 1968: 40).

punishments, but are targeted because they belong to the identifiable patterns of a particular race, nation or religion—all visible manifestations of ‘weakness’.

A grammar of contagion calls forth a systematic form of intervention, which will depict its methods of extirpation not in moral terms, but as a purification ritual designed to improve or fulfil the greatness of its privileged position (as race or species). By depicting its enemies as hidden carriers of ‘infection’, this grammar is able to justify its total domination of the social body. All forms of violence that eliminate contagion thus become sacrilised in the name of purification. The more concealed the enemy, the more invasive and ruthless the methods must be, sniffing out their ‘illness’ in places of refuge—“My genius”, Nietzsche proclaimed, “is in my nostrils” (Nietzsche quoted in Wolin, 2004: 472). The consuming drive of this struggle thus involves the perpetual identification, enslavement and eradication of the unfit: “Nothing”, Nietzsche declared, “has preoccupied me more profoundly than the problem of decadence...” (2004: 472).

Nietzsche’s passionate drive for a new elite was not restricted by utopian convictions of a ‘just society’ and thus possessed no final resting place or *telos* to be reached. His central devotion was thus solely to the acts of critical intervention itself which actualised the will-to-power, even if this should entertain contradictions or anti-theoretical positions. The will-to-power deriving from instinct becomes the prime motivating force that represents a continual provocation to discover decadence and achieve new feats of artistry—“*sexuality, intoxication, cruelty*—all belong to the oldest *festal joys* of mankind, all also preponderant in the early “artist”” (Nietzsche, 1968: 421). Eradication of the decadent is thus conceived as a never-ending campaign of cultural hygiene performed within the grammar of instinct, physicality and appearance. Yet, there are two elements latent within this particular grammar of decadence which professes to speak for the ‘nature’ of the other by reference to a theory of anthropology.

### *Two Anthropological Traits of Genocide*

Within the grammar of contamination professed by this view of the other are anthropological traits which bind the attributes of decadence to the basic instinctual-physical notions of the body. Thus, contained within this grammar is a ‘logic of genocide’ that links the necessity to eliminate the inherent traits manifested by a group

in reference to an anthropology of emanation. The language which necessitates the elimination of the other exists within two anthropological traits.

The first essential trait within this logic is called *libido dominandi* (the instinct to dominate). This lust for domination is described as a notion of collective egoism, where the other, by their practice of cultural forms of decadence, obstructs and corrupts the central tenets of the 'high' cultural patterns of authority, thus creating its downfall and/or preventing the its greatness. The threatening other, as I argued in chapter Three, is a paradoxical notion who is targeted for their powerlessness within an established order. The *libido dominandi* embodied by the other is paradoxically manifest through their powerlessness to contaminate and control society. Yet, how the *libido dominandi* is a manifestation of Natural or Historical forces that necessitates genocide, involves a second interwoven trait that grounds the *libido dominandi* as the force of corruption within the other's physicality.

The *libido dominandi* does entail that this drive is incorrigibly interwoven with the constitution of the body. However, it does not account for those behaviours that are derivative of from it. In other words, the corrupting behaviour of the other is understood to emanate from physiological sources which do not allow for rehabilitation, yet what is lacking here is grammar which accounts for this manifestation of instinctual drives. The anthropological concept that sheds light upon this libidinous behaviour is *actio sequor esse* (action follows from being). This notion serves to articulate the determining link between the other's incorrigible characteristics and their subsequent actions. *Actio sequor esse* has a long and enduring history in Western literature, with many notable examples deriving from the New Testament where it was employed to account for forms of deceptive action—a prime indication of ecclesiastical evil.

Watch out for false prophets. They come to you in sheep's clothing, but inwardly they are ferocious wolves. By their fruit you will recognize them...every good tree bears good fruit, but a bad tree bears bad fruit...Every tree that does not bear good fruit is cut down and thrown into the fire. Thus, by their fruit you will recognize them (Matthew 7:15-20).

No good tree bears bad fruit, nor does a bad tree bear good fruit. Each tree is recognized by its own fruit. People do not pick figs from thorn bushes, or grapes from briars. The good man brings good things out of the good stored up in his heart, and the evil man brings evil things out of the evil stored in his heart. For out of the over flow of his heart his mouth speaks (Luke: 7:43).

This parable is also most poignantly applicable when Jesus of Nazareth is tempted by the devil, where the devil is depicted as the one possessing the knowledge of scripture, employing the words of God for ends which are deceptive and corrupting—tempting Jesus to demonstrate his worth through selfish actions.<sup>25</sup> These Christian scenarios depict the devil, the epitome of evil, as a subject employing benevolent teachings for pernicious ends by attempting to undermine the commitment of Jesus. By concealing their true identity behind the words of God, false prophets obstruct the teachings of religion and the path to God by undermining those who would practice Christianity.<sup>26</sup>

What is apparent in these two concepts is a grammar which professes to identify the sources of decadence by methods that are readily apparent: in the physical essences or manifestations of the body. The appeals to the ‘real’, or depth inspired search for the true sources of decadence are abandoned in favour of the ‘clearly apparent’ indications of vice and their incorrigible sources embedded in the body. A compelling feature of this grammar is thus a logic which dictates that the manifestations of decadence expressed by *actio sequor esse* should be unmasked, classified and enslaved or exterminated because of its physical source.<sup>27</sup>

### *Reflections on the Architecture of Genocide*

The actual line between what Wolin has called Nietzsche’s “critical totalitarianism” and the horrific manifestations of totalitarianism in practice being to blur when one juxtaposes the grammar of Nietzsche’s politics of culture with the governments that have instrumentalised genocide (Wolin, 2004: 464). Nietzsche’s dynamic of destruction, despite its many facets, was seen as an essential preliminary accompaniment of creativity, which would bring about heroic art and culture. Destruction is thus seen as the expression of the will to overcome and at the same time a rejection of Enlightenment rationalism which embraces the idea that truth is situated at the end of an interchange of knowledge. As I have described, the driving principle of

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<sup>25</sup> For Jesus, temptation arose whilst fasting in the desert: “He ate nothing during those days, and at the end of them he was hungry. The devil said to him, “If you are the Son of God, tell this stone to become bread” (Luke 4:3).

<sup>26</sup> Formulating the sources of evil in this way is affiliated with the term *vice*. The American heritage dictionary identifies its root in the Latin *vitium* meaning fault or flaw, yet its usage also coincides with the term *vitis* meaning vine. The illuminating fact about this term’s etymology is that it derives from the Latin root meaning vine (and later in German *wei-*), a weak-stemmed plant that grows upon established surfaces. Vice in this scenario becomes interwoven with propagation, as ‘outgrowth’, and which is consequently predestined by its nature to grow atop and contaminate established surfaces.

<sup>27</sup> Perhaps the Rwandans were correct to refer to the policy of genocide as ‘the logic’.

this creative dynamic of annihilation is as an agent of purification. Classification, purification and creation are the incentives driving the totalitarian to perpetually enact terror, enslavement and mass murder. Confinement and purification were fundamental components of not only the Nazi genocide of European Jewry, but also Stalin's interventions in the Ukraine and the Rwandan genocide of 1994. The ultimate purifier: mass murder and the disposal of corpses; the ultimate method of confinement and enslavement: the concentration camp system along with the regional enclosure of killing sectors imposed by a total regulation of movement.

In Rwanda, the Hutu Power movement exemplified this grammar of totalitarianism in the manners described above. It depicted the Tutsi as a contaminating feature of Hutu society. Even though the majority of Tutsi were powerless and not collectively organised as an ethnicity, they were 'Historically' predisposed to enact the anthropology of decadence—weakness that is pervasively and secretively powerful, an outgrowth of the *libido dominandi*. In creating the myth of 'Tutsi unity', the propaganda of Hutu Power portrayed the Tutsi as a clannish tribe with "a singleness of purpose" giving them an advantage over the diverse Hutu in Rwanda (Des Forges, 1999: 73). This myth linked the Tutsi living in Rwanda with those who "exploited Hutu in the past and with the RPF, making it seem that there was a solid logic linking past Tutsi actions to the present day struggle against the RPF" (1999: 73). In a propaganda article entitled "A cockroach<sup>28</sup> cannot give birth to a butterfly" the adherents of Hutu Power articulate their reasoning of 'Tutsi unity':

We begin by saying that a cockroach cannot give birth to a butterfly...A cockroach gives birth to another cockroach...*The history of Rwanda shows us clearly that a Tutsi stays always exactly the same, that he has never changed.* The malice, the evil are just as we knew them in the *history* of our country...Who could tell the difference between the Inyenzi [cockroaches] who attacked in October 1990 and those of the 1960s. They are all linked...their evilness is the same. The unspeakable crimes of the Inyenzi of today...recall those of their elders: killing, pillaging, raping girls and women, etc. (1999: 73-4; emphasis added).

*Actio sequor esse* appears to us here as a Historical consistency that has revealed the 'true' and 'clearly apparent' nature of the unified Tutsi subject, the one who remains predisposed to continually enact their life force: the *libido dominandi*.

What this example also demonstrates is the pursuit of the primal qualities of man (the will-to-power) through the abandonment of truth and rationalism. This primal

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<sup>28</sup> The term "cockroach" is a term used to refer to RPF troops, and later generalised by some to include all Tutsi during the genocide (Des Forges, 1999: 73).

quality for Nietzsche was only attainable through the revitalisation of myth because only by resorting to this dimension can one open up “a range of *dramatic* possibilities denied to methodical philosophy” (Wolin, 2004: 485). The language of myth opens the way for “heroic spirits who say Yes to themselves in tragic cruelty; they are hard enough to experience suffering as a pleasure” (Nietzsche quoted in Wolin, 2004: 485). By embodying myth, the new elite actualise their potential to revitalise the species by breaking away from the stunted herd mentality and providing genuine meaning to mankind from within the pre-political instincts of humanity. Instead of being an attribute of shame, repression and inhibition, the instinctual drive for power is revitalised by embodying the high elements of aesthetic mythology (poetry, tragedy, and music) and its heroic dimension (manliness, struggle, conquering and a continual overcoming). Myths, such as ‘Tutsi unity’, are thus not merely elements of deceptive propaganda but are also attempts to revitalise the communal bonds in a ‘heroic’ struggle for new forms of domination and destruction—what Nietzsche called “a mystic feeling of Oneness” (2004: 487). Under this view, the primal qualities of life and myth were thus intended as methods of revitalisation where an elite could break from the confines of civilisation and embody a spirit of *rebellious auto-creation*, which could only be achieved directly through the destruction of decadence.

This emphasis on myth and nihilism reveals a fundamental component of the totalitarian grammar, one that can account for the paradoxes of genocide. Unlike other political perspectives, such as Machiavelli’s *Realpolitik*, a totalitarian grammar embodies *Grosse Politik* which is grandiose and heroic rather than radically realistic that operates within a language of contamination, positing destruction as purification. In conjunction with the rejection of reaching depth and embracing myth (as exemplified by the rejection of Enlightenment reason), this grammar embraces appearance and superficiality as reality, and is thus inspired to enact the destructive dynamic against the weak even if it results in self-contradiction—“The wisest man would be the one richest in contradictions” (Nietzsche quoted in Wolin, 2004: 482). To contradict a description of ‘reality’ means that one is not bound by their confining values and rules of logic. Thus, the *génocidaire* is not prevented or hindered in any way from relishing in new and different perspectives deriving from the primal will-to-power. This mythical and dynamic drive of destruction that purifies and procures ‘high culture’ accounts for the perpetrators paradox. A political grammar that rejects the

realities of the situation by obsessively engaging in a dynamic of expansive destruction of the decadent opens avenues for self-contradiction. Abandoning the realities of the situation and embracing myth through terror and destruction increases the likelihood that their methods, such as genocide, will contradict the fulfilment of their own principles.

The singularity or totality of vision is another grammatical component which can also help account for the perpetrator's paradox of genocide. With genocide instrumentalised as a purifying intervention, which expedites the advancement of the species, the resources of the perpetrating authority become consumed by the struggle for 'high culture'. With one foot atop this privileged standpoint looking down upon the species, and the other totally engaged and consumed by the methods of purification, the authority's hold on reality is increasingly loosened as the momentum of this purifying enterprise expands. The survival of the government thus becomes a secondary question which is consumed by the actions that will certainly 'advance the species for countless future generations'. This drive for a continual advance or offensive by a destructive-purification, undercuts the tactical realities of a given situation. For the Nazi elite, this meant failing to learn the advantages of tactical retreat and civic cooperation in its war against Russia; in Rwanda this was manifest by overextending the domestic effort to organise and arm poorly trained militia to enact a policy of 'self-defence' which could not effectively defend against the RPF forces that actually threatened the survival of the Hutu state. Thus, the effort to establish a new elite by instrumentalising genocide as a heroic, myth-based and all-consuming enterprise contradicts the realisation of the elite community's struggle for high culture. 'The Real' is thus encountered, as Lacan once suggested, when one's description of the world breaks down, in this case into self-contradictions, which can no longer ensure its stability in the world (Fink, 1995). 'High culture' in these cases thus diminishes its own foresight for the realities of the situation by priding itself on the obsessive drive for the new pure culture of the future.<sup>29</sup>

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<sup>29</sup> Nazism, as an exemplar of this principle, represents the passionate indulgence in the aesthetics of 'high culture'—fine art, music (Wagner) and heroism as military conquest—whilst operating a self-destructive system of terror and genocide. The same principle is also apparent in other cases of genocide. If one is to believe the accounts from the recent film *Hotel Rwanda*, one sees that the 'high' values of the military class (whiskey, fine quinine, refined manners, conviviality, and discipline) is contrasted with its role in organizing, conducting and condoning the mass murder, torture and rape of civilian Tutsi and Hutu 'accomplices'.

Likewise, there exist components of this grammar that shed light on the victim paradox. With appearance and mythical descriptions pervading the culture of the new elite, they are free to depict the other as a serious threat, not because they are powerful, but rather on account of their collective powerlessness that contaminates the realisation of greatness. *Génocidaires* are thus free to grossly relish in their life force (the will-to-power) against populations that are ill-constituted in power terms. Because the other holds back the expression of this life force—however this may be substantively manifest by a perpetrator's ideology (economically, biologically or historically)—they expresses their power of contamination which obstructs the 'advancement' of the vital life force embodied in 'Nature' or 'History'. Decadence thus becomes a prime target for those populations standing in the way of 'progress' and 'high' culture. This grammatical component, embodied in a governing elite, accounts for the victim paradox because the other is selected for their power to spread weakness and corrupt the development of 'high' cultural patterns.

Consequently, the fundamental feature of this grammar exists in its ability to reinterpret and convert genuine thoughtless acts of crime (rape, torture, murder) into a drive for creating a new social order which is, by its own account, *confining*. The "mythic feeling of Oneness", as Nietzsche proclaimed, yearned for the primal unity and meaning brought about by practicing art, song and dance. This primal celebration of creation was to be achieved by embodying Dionysian mythology that dissolved "the gulf between man and man" and "state and society" (Nietzsche quoted in Wolin, 2004: 487). An elite relishing in this confined, yet ever-challenging and expanding architecture of artistry is seen as its central virtue. Actualising this mythological grammar through methods of hardness and cruelty (i.e., genocide), therefore *seeks a collapse of space* that destroys the boundaries which once divided and related people of different outlooks together in a polity. In other words, this grammar exemplifies an architecture which is horrifically *confining*, carving out a physical geography by domination and violence guided only by a mythical design of an elite community. A drive to dominate culture thus entails a modern unmasking and totalising devaluation of all rival values, their accompanying practices and physical embodiments. Confining an elite to expanding heroic art, combined with an all-invasive (and pervasive) disgust of decadence is thus the architectural distinctiveness of this grammar—what Arendt referred to as the "iron band" of totalitarianism (Arendt, 1968: 466)

With this grammar genocide constitutes a violent intervention that is interpreted in the most ‘advancing’ or ‘purifying’ of ways, depicting cruelty and killing as being creative, liberating and essential for the species. In this way, the truth of the will-to-power is “raised” by “cutting into the living” (Nietzsche, 1969: 218).<sup>30</sup> In this dynamic destruction, genocide becomes another instrument for procuring ‘health’ that constitutes the architecture of total terror.

### *Conclusion*

In this chapter I have examined the architecture necessary for genocide. Three different components of this architecture were explored. I first addressed the external form and strategic application of this grammar—that is, its ‘speech’. I argued that there existed a mutually reinforcing cycle between context and discourse. This cycle consisted of how contexts could be exploited (as with the anomic suicide bomber) or manipulated (by violence in a state of emergency) in service of a political language. Likewise, in examining the other part of this cycle, I claimed that the strategic employment of vocabularies of motive constituted actions that can aid the reordering of society by gathering mass support.

In the second part of this chapter I examined the immanent form of this political grammar. I showed that such a grammar operates akin to scientific paradigms that inherit in their structure an incommensurability with other worldviews. In fact, I suggested that such grammars desire incommensurability to insulate their principles from forms of critical reason. I also suggested that consistency and infallibility were essential interwoven traits of a political grammar in order to maintain and conjure mass support.

I also examined the substance of a political grammar that instrumentalises genocide. I argued that Nietzsche’s philosophy had explored and typified this grammar. The specific grammatical principles apparent in the architecture of terror are as follows:

1. *Eliminating the boundaries* of the political (law and private/public) by advocating a ‘politics of culture’ which penetrates and encompasses all aspects of human life.

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<sup>30</sup> For the full remarks about destruction as purifying and truth creating, see Nietzsche’s quotes on the first page of this chapter.

2. The new elite acts as “emancipated spirits”, *abandoning all notions of Universal truth* (Enlightenment rationalism) and treating convictions (political, moral, and religious) purely as *means* which are capable of actualising the “Grand passion”—the will-to-power (Nietzsche, 1990: 185, 184).
3. Without the comforts of Universal meaning, a new elite is called for to hubristically allocate themselves a privileged position inspired by a governing formula—*Grosse Politik* (grandiose and anti-realistic). From this position they sit in judgement over the whole domain of the ‘species’.
4. This emancipation from truth and a privileged position opens the way for the *revitalisation of myth* necessary for the development of ‘high culture’ and also ensures that the masses can be controlled by an elite which manufactures and employs fictions (lies, deception and ridicule) to maintain their privileged position.
5. The mode of intervention and critique is *totalistic*. It employs destructive means to completely eradicate and rid the world of the cultural patterns which it believes its enemies have created.
6. The prime goal of indicting the decadent elements of culture is to *revitalise the biological health of the species*. The elite’s ‘curing’ of culture is thus to be achieved by going outside culture by invigorating the primordial life instinct: the will-to-power.
7. This ‘purification’ is to be achieved by identifying the *appearances* of decadence. The elite base their judgement to destroy upon what is *physically or behaviourally apparent* (body constitution, race, language, religion).
8. The notion of ‘enemy’ is incorrigibly embodied by category of *decadence*, which is not subject to a contestation of counter claims, nor the rigorous ‘realistic’ rules of proof. Unencumbered by the other’s demands, the rule of the elite over the decadent is purely *monologic*.

By emphasizing the principles of this grammar present in Nietzsche’s philosophy I did not claim that there is a direct historical link with any totalitarian movement. In other words, I do not claim that totalitarian authorities read Nietzsche and design their society. Rather, Nietzsche described a way of viewing society that was present in the European conscious or, as he suggested, *will be* manifest in the future conscious—“Some men are born posthumously” (Nietzsche quoted in Wolin, 2004: 463). I have suggested that Nietzsche’s work is able to illuminate in a systematic way the principles underlying what we now call ‘totalitarianism’, a claim that was put forth by Sheldon Wolin (2004). Yet, my central claim was that one can better comprehend how genocide becomes instrumentalised as a policy of government by articulating the self-understandings of those elites in a grammatical format.

Finally, I suggested that this grammar, in conjunction with the technological strategies of application and form, was shown to account for the paradoxes of genocide and described as an architecture of collapsed space.

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