

An account of the genocidal state

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Abstract

The purpose of the paper is to discuss genocide as a state policy. One scholar described a genocidal state as a state that continuously pursues politics of annihilation 'for an almost inexhaustible availability of victims.' Genocide is inflicted on people by a state through a synchronised attack on certain aspects of life, including the political, social, cultural, economic, biological, religious, and moral aspects. As such, genocide is 'planned' to assure the effectiveness of the (genocidal) policy and the impunity of the perpetrators. The questions raised in this paper are straight forward. First, why do some states - authoritarian and democratic alike- commit genocides while others do not? If a state resorts to genocidal policy, how is such a policy implemented? And the most daunting question, perhaps, is: when do states commit genocide. Among the best methodologies are those that are inter-disciplinary and comparative, which genocide studies as a discipline unfortunately lacks. A comparative study will help understand various levels of state-perpetrated (or sponsored) genocide. This paper examines the symptoms of the genocidal state in various cases, including the Holocaust, the former Yugoslavia, Rwanda and Burundi. Genocide is too complex to be understood from the perspective of a single discipline. Since the paper focuses on genocide in the realm of global politics, international theory (international relations, international law and sociology) will be used as the main reference.

Kuper (1990:23) describes a genocidal state as a state that continuously pursues politics of annihilation “for an almost inexhaustible availability of victims” because the victims are seen as obstacles “to the whole perpetrator group and to the state authority” (Palmer,1998: 97). In short, for Barta, a genocidal state is a state pursuing a genocidal policy (1987: 238). Thus, genocidal state is about the bureaucracy of murders, in which the killing is perpetrated or sponsored by state apparatus. It is a tragic consequence of, in the words of Kuper (1981: 161) and Fein (1982: 26), the misleading assumption that the doctrine of state sovereignty has given a prerogative right to a state to commit genocide within its borders.

This paper will study the symptoms of the genocidal state by exploring state power in the formulation and implementation of genocidal policy. The questions raised in this chapter are straightforward: *why*, *how*, and *when* do states commit genocide. It must be noted in advance that the three question do not represent three separated compartments but rather three intermingled lines of inquiries on the topic of the genocidal state. Before dwelling with these three key questions, the paper must first clarify three key terms vital to the whole discussion, namely: genocide, state, and state power.

Genocide, state, and state power

What is genocide? Lemkin (1944:xi), the inventor of this term, explains that *genocide* is “... a term deriving from the Greek word *genos* (tribe, race) and the Latin *cide* (by way of analogy, see homicide, fratricide)...”. The legal definition of “genocide” is stipulated in Article II of the 1948 Convention on the Prevention And Punishment of Crime of Genocide (hereafter called the Genocide Convention) which reads as follows:

... genocide means any of the following acts committed with intent to destroy in whole or in part, a national, ethnic, 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 in whole or in part;
- d) Imposing measures intended to prevent births within the group;
- e) Forcibly transferring children of the group to another group.

In the context of genocidal state, the genocidal acts, namely the activities depicted in points a,b,c,d,e, are committed or sponsored by the state.

The immediate question is thus: what or who is the *state*? James (1986:13), argues that the state is a totality of territory, people, and government. Halliday (1991: 197) rejects this totality approach; for him the concept of the state is distinct (but not separated) from society, government, and nation. The state, argues Halliday (195), is an assemblage of coercive and administrative institutions, while society is “the range of institutions, individuals and practices lying beyond the direct control and financing” of the state. There is also a difference between the state and government, which can be understood as the difference between “the assemblage of administrative apparatuses” and “the executive personnel formally in position of supreme control”. Last but not least, the state is distinct from nation. Morgenthau’s classic, *Politics Among Nations*, for Halliday, is symptomatically mistitled if the question is how far the state equally represents the competing interests of its national groups in inter-*nation*-al fora. Last but not least, Skocpol (1979: 29) defines a state is “a set of administrative, policing, and military organizations headed and more or less well coordinated by, an executive authority.”

It is not the purpose of this section to dwell on such a definition, but rather to seek some features of the state relevant to the concept of genocidal state:

- 1) Territory is relevant, because most genocide is committed in a state territory (e.g. genocide associated with civil war), overseas territory (e.g. genocide associated with colonialism or decolonialism), or foreign territory (e.g. genocide associated with external war);
- 2) Population is relevant, because most genocide perpetrators and victims are derived from particular segments of the population;

- 3) Bureaucracy, institutions, and organs are relevant because most genocidal policy is implemented through the bureaucratic machinery, institutions and organs;
- 4) Government, executive authority, and regime is relevant because they are the authors of genocidal policy.

The point is: most features of the state debated by scholars are relevant to the discussion of genocidal state. It is now time to examine the concept of state power, which is important to any understanding of the state and genocidal state.

State power, for Mann (1993: 9), is political power. And the appropriation of state power is rooted in three realms: institutional, historical and functional. The institutional explanation of state power is founded on his understanding of the state as “a differentiated set of institutions and personnel embodying centrality, in the sense that political relations radiate to and from a center, to cover a territorially demarcated area over which it exercises some degree of authoritative, bidding rule making, backed by some organized physical forces” (1993: 55). Thus, state power is both vested at the center in the elite persons and institutions as well as composed of the complex interplay between persons and institution throughout the territory. For instance, state power is vested in a regime and extended throughout the country through an extensive bureaucracy.

The historical explanation of state power, according to Mann (as elaborated in Keyman, 1987: 68-69), is founded on the necessity of the state as a historical fact. Throughout history, complex societies have been existing in a multistate civilization in which the establishment and maintenance of a monopolistic organization, that has been the province of the state, is always a prime necessity. Such a monopolistic organisation is beset with the necessity of creating and imposing rules of conduct, especially those which are necessary to protect life and property. As such, “necessity”, claims Mann, is the mother of state power.

The functional explanation of state power is founded on the multiplicity of state functions, which includes activities ranging from the maintenance of domestic order, military defence, and aggression to the maintenance of infrastructures and economic distribution, all of which demand multiple manoeuvres. The manoeuvring capacity constitutes “the birthplace of state power”. Altogether, for Mann, the necessity, multiplicity, and territorial centrality of the state makes up the “autonomous” power of the state. This means that, the state, as an actor, has the capacity and the will to power, which are independent from those of civil society.

Some features of state power are relevant to the discussion of genocidal state in the following accounts:

- 1) State power is political power which is mostly seized by the government (Halliday), or the executive authority (Skocpol), or the regime/ ruling elite (Mann). This understanding will serve as a basis for the discussion of “Why do states commit genocide?”
- 2) State power is extended through, and partially also strengthened by, a set of extensive administration, or precisely, an extensive bureaucracy, the main function of which is to rule, control, if not subjugate people. This understanding will serve as a basis for the discussion of “How do states commit genocide?”
- 3) State power derives from a state’s manoeuvring capacity, either internally or externally, when dealing with (non-state) societal forces or other states. This understanding will serve as a basis for the discussion of “when do states commit genocide” in the third section of this paper.

With such an understanding of state power at hand, the immediate question that needs to be discussed is: *why* do states commit genocide?

Why do states commit genocide?

The purpose this section is to discuss genocide from the perspective of state power. “Power kills”, argues Rummel (1995: 25), “and absolute power kills absolutely.” For Rummel, *democide* (murder by state, including genocide) is best understood by observing, first, the degree to which a regime is empowered along a totalitarian to democratic continuum and, second, the extent to which the regime is engaged in war or rebellion. With regard to the first, the severeness of totalitarianism, argues Rummel (1995: 13), reflects the degree of centralisation of state power in the hands of the regime and the regime’s (real) capacity to control the non-political aspects – economy, culture, religion – of society. And since the degree of totalitarianism is positively concomitant with the severity of demo/genocide, then, for Rummel (1995:25), “the best assurances against democide are democratic openness, political competition, leaders responsible to their people, and limited government.” But Bremer (1992: 316), in his study on conditions affecting the likelihood of interstate war from 1816 to 1965, concludes that democracies

were neither more nor less war prone than other undemocratic states. And war, as discussed later at the end of this paper, is a significant factor in the onset of genocide. Most of Rummel's critics, too, counter the "democracy solution" by pointing to the fact that democracies do fight non-democracies and, as argued by Sartre (1968), a democracy like the US has waged the bloodiest-genocidal war in modern history, the Vietnam war.

This kind of critic seems to have overlooked Rummel's second condition that war making would diminish democracy and hence enhance totalitarian politics, even in a democratic state. Thus, argues Rummel (1995: 5), in times of war "the military or intelligence services operate in secret, and ... their foreign operations are in effect *totalitarian enclaves* within a democratic structure" (italics added). If this is the case, then the question is: in time of war (which means foreign democide), or a contingency sort of war, what is the difference between democracy and non-democracy?

Rummel seems to have no more convincing answer to such a question than a somewhat hypothetical one that the more totalitarian a regime, the more total its war will be, which ultimately leads to the more probably it will commit genocide. But, it was the democratic US, not the totalitarian communist China nor the Soviet Union (who openly supported the communist resistance), which waged a total-genocidal war in Vietnam. A core of Rummel's argument, however, is that a totalitarian regime likely wages both domestic (i.e. genocide) and foreign democides (i.e. genocidal inter-state war), while democracy tends to commit foreign rather than domestic demo/genocide. As such, his argument is more an explanation of the attitude of a *genocidal*-totalitarian state and a *genocidal* democracy in a genocidal continuum, rather than a solid premise that a democracy is a non-genocidal state. Despite some conceptual weaknesses of his democracy solution, Rummel's empirical study has given more insight into understanding the relationship between genocide and the concentration of state power.

Such a relationship can also be better analysed by employing Mann's matrix depicting two dimensions of state power. Mann (1993: 59-60) draws the distinction between *infrastructural power* and *despotic power*. Infrastructural power is the institutional capacity of a state to penetrate its territory and implement policy. This infrastructural power is by nature collective power, which means the joint power of various actors/ institutions to attain particular goals (i.e. state and civil society combine their power to attain greater power). It must be noted that infrastructural power is a two-way street. As such, the higher the infrastructural power, the higher the state's capacity to control society and, simultaneously, the higher the capacity of civil society to control the state. Despotic power, conversely, is distributive power, which means accumulation of power can only be attained by depriving others of power (i.e. in order for the state to gain more power, civil

society must lose some). As such, the state with more despotic power likely becomes more autonomous *vis a vis* other societal actors. The following table depicts the two dimensions of state power in various kinds of states.

Table 1: Two dimensions of state power

| | | |
|----------------|-----------------------|-------------------------|
| | Infrastructural power | |
| Despotic power | Low | High |
| Low | Feudal | Bureaucratic-democratic |
| High | Imperial/absolutist | Authoritarian |

Source: Mann, Michael. 1993. *The Sources of Social Power. Vol.2. Cambridge University Press, Cambridge, p.60.*

Mann's dimension of state power is a useful guide to analyse the effectiveness of genocidal policy. Table 1 depicts that a feudal state, a typically medieval kingdom, has both low despotic power and infrastructural power so that it is unlikely to be able to effectively intervene in the social life of its subjects. One of the reasons for such weakness, argues Mann (1993: 60), is the absence of direct rule from the king. While the king enjoys a considerable autonomy (he could do whatever he wants), his ruling is mediated by autonomous lords, churches, and other organisations. As such even an evil king might have difficulty implementing genocidal policy because he has to work with an autonomous infrastructure.

Genocide in Burundi in 1972 is an example of such a "low despotic power - low infrastructural power" case. The feudal structure of Burundi indeed resembled that of medieval Europe (Stanley Meisler, 1976: 227-229). The majority Hutu was indirectly governed by a Tutsi king (*mwami*) through Tutsi lords which made up a feudal pyramid – a social structure in which lords vowed loyalty to the more important ones with the king at the top of the strata. The feudal strata remained intact when Burundi gained independence from Belgium and became an independent kingdom in 1962. But the Tutsi king was overthrown by a military coup led by a Tutsi officer in 1966 who then changed Burundi to a republic while retaining its feudal character, if not mentality. In 1972, the Tutsi government committed genocide against the Hutu majority, following the prolonged persecution of the Tutsi minority by the Hutu government in neighbouring Rwanda.

The Tutsi genocidal policy in Burundi was implemented in a feudalistic manner, in which the role of the victims' obedience was central. Thus, in many cases the Tutsi government did not hunt the Hutu victims (for the government had only 4,000 army personnel), but they summoned them, locked them up, and killed them in prisons. Meisler (1976: 232) noted: "Foreigners who knew the Hutu well blamed their strange acquiescence on a strong streak of fatalism in the Hutu personality and an intense psychological dependence on their Tutsi lords. Much like the serfs in medieval Europe, the Hutus for centuries had given their loyalty to the Tutsis in exchange for protection. Caught in a terrifying crisis in 1972, most did as they were told." Should the Tutsi government have been sustained by a better (but coopted) political infrastructure, it would have killed more Hutus than 'only', at the most, 150,000. But the feudal state is not the only kind of state suffering from weak infrastructural power; the imperial/ absolutist state has the same problem.

Table 1 shows that an imperial/ absolutist state has low infrastructural power but high despotic power. The genocidal state of this kind might rely on a formidable but fragmented army since most of the troops are usually at the command of generals who rival each other for power (Mann, 1993: 60). The 1965 genocide in Indonesia reflected these dimensions of state power. Under his "guided democracy" President Soekarno attempted to push Indonesia – an empire of 2 million square kilometres, 17,000 islands, hundreds of ethnic groups and languages, and the then fifth most populous country in the world – to become a modern state like Kemalist Turkey. Cribb (1995: 299-313) explains that under guided democracy, President Soekarno played off the two major sources of power, the PKI (Indonesian Communist Party) and the army, since the two were struggling to annihilate one another. The aborted coup by a faction of the army led by an officer of the *Tjakrabhirawa* special forces, who were allegedly under the influence of the communists, provided the opportunity for the other army factions to eliminate the PKI. But, due to the weakness of infrastructural power, the genocide was more a chaotic than a systematically planned policy. One should remember that infrastructural power is by nature a two-way street, channelling the contending forces of the state and civil society. In the 1965 Indonesia, this two-way street collapsed. Thus, on the one hand the civil society failed to control the somewhat fragmented, if not limited, murderous operations by the army. On the other, when the army itself ultimately attempted to halt the carnage, the situation was already out of hand with various religious militias or groups (Muslim and Christian alike) waging a Holy War against their common enemies: the "atheists" (the communist cadres). Between 250,000 and 500,000 were killed during the 1965 genocide, a mass slaughter committed in the fashion of an imperialist/ absolutist order.

A bureaucratic-democratic state reverses the order of imperialist/ absolutist state. Modern Western liberal-bureaucratic states are very close to this third type, with high

infrastructural power and low despotic power. While the US might not be the ideal type, it nevertheless qualifies as a bureaucratic-democratic state. It must be noted that Weber would agree while Mann would be reluctant to endorse this qualification (Mann, 1993: 57). The Vietnam war is an example of how the US, as a bureaucratic-democratic state, committed genocide abroad. Rummel's "totalitarian enclave theory" will help explain the US genocidal policy in Vietnam. The political dynamic within the US amid the Vietnam campaigns was a testimony of the effective two-way traffic facilitated by high infrastructural power: the absorption of American power to fuel the war and the social resistance against such an absorption (i.e. the anti-war movement). It is not exaggerating to say that the civil society had an important role in putting to an end the US genocidal policy in Vietnam. However, the high infrastructural power does not address, let alone remove, the totalitarian enclave as the basis of genocidal policy within the US democracy. Worse, in some cases, mostly in the case of the authoritarian state, the high infrastructural power went one-way, serving only the interest of the state.

Hitler's Germany is a perfect example of authoritarian states. In both states, the successful genocidal policy was sustained by the combined effect of high despotic power and high infrastructural power (see table 1), in which the latter was coopted by the former. The deadly combination of high despotic power and an effective bureaucracy of murder had resulted in the killing of 6 million Jews in Germany and Germany's occupied territories. The next section will deal at length with the bureaucratic aspect of murders by the authoritarian state. But for this time being, the two dimensions of state power need to be further explored by observing the implementation of state power as real state business. And, as many state businesses involve the use of violence, if not calculated murder, then one needs to study the relations between state power and legitimacy.

Such a relationship is investigated by Charles Tilly in his study about war making and state making as organised crime. For Tilly (1985: 181), state-controlled violence is a main expression of state power. And the agents of states, according to Tilly, use organised violence in carrying out four different businesses. The first is war making, in which the state eliminates or neutralises rivals outside the territory, either for reasons of self-preservation or in struggles for power. The second is state making, in which the state eliminates or neutralises rivals inside its territory. The third is the protection racket, in which the state eliminates or neutralises the rivals of its clients. The fourth is the extraction, in which the state uses forces to attain the means of carrying out war making, state making, and the protection racket. In one way or another, genocide can be a means or an end of such businesses. And, in all accounts, 'legitimacy' is an important factor in pursuing state business. In other words, the state has always wanted its business to be considered as legitimate business, including that of genocide.

For Tilly, legitimacy is a question of efficacy; if one's forces go unchallenged, then such forces are legitimate. "Legitimacy", argues Tilly (1985: 171), rephrasing Stinchcombe, "is the probability that other authorities will act to confirm the decision of a given authority. Other authorities...are much more likely to confirm the decisions of a challenged authority that control substantial force; not only fear of retaliation, but also desire to maintain a stable environment recommend that general rule." In other words, organised violence is legitimate if it is irresistible. If interpreted this way, then, genocide, which is a form of organised violence, too, is legitimate if irresistible.

The point is, for Tilly, the state needs legitimacy to cover up the nature of its business as racketeer, if not legitimate organised crime – war making, state making, the protection racket, the extraction. As previously argued by Mann, such state business is conducted by relying heavily on the usage of institutionalised, centralised, and territorialised regulation of various aspects of social relations. In other words, the question of legitimacy is anchored in the quest of legal ideology of the state. Thus, in the view of orthodox positivist, the legitimacy, which is founded in the legal ideology, "is itself a product of a dominant or hegemonic political culture that directly produces the forms of mentality or social consciousness of the population" (Hunt, 1993: 150). As such, the murderous state business is largely sustained by public obedience. In the business of war making (i.e. genocidal interstate war), the subjects were by law recruited to kill the foreigners; in state making (i.e domestic genocide), fellow neighbours; in protection racket, enemies of state's clients. The cost of the three activities is extracted, through taxation or otherwise, from the pockets of the subjects. "Legitimacy", however elusive it is, is a key to a successful organised crime. The next question is: *How* do states commit such an organised crime?

How do states commit genocide?

The purpose of this section is to give an account of the bureaucracy of murders. And the legitimacy, as discussed by Tilly, provides psychological assurance to the bureaucrats, and hence helps the effective implementation of a genocidal policy. Bureaucracy of murder can happen if the bureaucracy is coopted by those who seize state power. Max Weber gave this warning:

Once it is fully established, bureaucracy is among those social structures which are the harder to destroy. Bureaucracy is the means of carrying "community action" over into rationally ordered "societal action." Therefore, as an instrument for "socializing" relations of power, bureaucracy has been and is a power instrument of the first order – for the one

who controls the bureaucratic apparatus.... The consequences of bureaucracy depend therefore upon the direction which the power using the apparatus give to it. And very frequently a crypto-plutocratic distribution of power has been the result. (Weber, *Economy and Society*, in Horowitz, 1982: 119).

As such, for Weber, bureaucracy represents a set of administrative apparatus whose behaviour is strictly controlled by the government, the executive authority, or the regime. But the portrayal of bureaucrats as obedient servants of the top managers of the state is not without problem.

The Weberian approach tends to ignore the autonomy of bureaucracy as social forces. Earlier in this paper, Skocpol made a clear distinction between “a set of administrative” organisations – the bureaucracy – and the executive authority. The former is mostly career bureaucrats, the latter mostly political appointees. There is a tendency on the part of the career bureaucrats to resist politicisation of bureaucracy by political parties or, subject to the kinds of political system, by politically appointed state officials such as members of parliament, presidents, ministers, governors, or city mayors. Yet, albeit rare, there is the possibility of political contention between the political will of the (political) executive and the interest of bureaucracy. The 1940s Bulgaria is one such example. Despite the collaboration and the dependence of the Bulgarian central government on Hitler’s regime, and despite the anti-Jewish attitudes of the Bulgarian executive authorities, a great deal of Bulgarian bureaucracy, especially that at a regional level, challenged their government’s genocidal policy against the Jews, and, consequently, rendered such a policy unsuccessful (Fein, 1979: 159-164). Such a case, however, is not a general phenomenon in the relation between bureaucracy and state power.

The common case, argues Horowitz (1982: 123), is that bureaucracy is inextricably linked to state power. Consequently, the class interest of the middle bureaucrat is the class of top bureaucrats, as far as they are directly linked to forms of state power. Thus, bureaucracy is “quite willing to execute and interpret the will of state authority.” (Horowitz, 1982: 126). In fact, the interplay between bureaucracy and state power is quite dynamic. First, there has always been competition among the top echelons in the bureaucracy to execute what is considered the high politics of the government’s agenda. Yet, most bureaucrats have drive for advancement (Kressel, 1996: 9). And in so doing, they drag various bureaucratic agencies to the race to attain the perceived state political goal. Thus, in the implementation of the genocidal policy of the “Final Solution to the Jewish Problem”, there was tight competition among SS (*Schutzstaffel*, or guard detachment), Police, the Army, Foreign Office, and regional governments to commit ethnic cleansing, either by killing or deporting the Jews (Breton and Wintrobe, 1986: 912). Second, due to the nature of

bureaucracy, officials feel free from any accountability since any of them will consider her or himself as a cog in a large bureaucratic machine. If you did the job right, claim your credit. If you did it wrong, just hide under your table. "Bureaucracy", argues Markusen (1987: 114), "facilitates the crossing of the "moral barrier" ...by its deliberate effort to render humane considerations irrelevant with respect to the performance of the task at hand." The immediate effect of the bureaucracy of murder is the banality of crime. It is now time to examine some concrete examples of such crimes, with special reference to the "organisation" of genocide.

The Holocaust represents a classic example of the bureaucracy of murder. The complex organisation of the Nazi genocide from 1933 to 1944 consisted of six stages (Horowitz, 1982: 25). The first stage was the demonization of the Jews through various declarations and official statements. The second stage was the enactment of Nuremberg Laws regulating that the German blood or Aryan was the prime necessity for German citizenship. These laws, then, effectively denied the Jews access to citizenship. The third stage was the construction of the first concentration camp at Buchenwald, in the wake of mass anti-Jewish riots in Berlin and Vienna. The fourth stage, at the beginning of World War II, was the siege of Jewish ghettos, which were then converted into concentration camps. The fifth stage was the massive and systematic extermination of the Jews in Germany and its occupied territories. Finally, the sixth stage was the organized attempts to destroy all of the evidence of genocide. All steps from the first to the sixth stages depict an effective bureaucracy of murder.

A sense of "organisation", albeit not as sophisticated as that of Nazi Germany, was apparent in the Serb or Croat genocide against the Bosnian Muslims. The Serb and Croat genocidal campaigns constituted a coordinated plan of various actions against the targeted Bosnians: cultural destruction, organised rape, and mass killings (Sells, 1996: 25). First, the Serb and Croat militias targeted the perceived cultural symbols or identity of the Bosnian Muslims. Thus, such historical and sacred sites as the Oriental Institute in Sarajevo, the National Library of Sarajevo, Pociteljold town, and the Mostar Bridge were bombed or dynamited. The destruction represent a carefully planned strategy to uproot the Bosnian Muslims from their culture and identity (Campbell, 1998: 110). Following the destruction of the mosques of Zvornik, a Serb major declared: "There never were any mosques in Zvornik". The major then gave a new church to the city (Sells, 1996: 6).

Second, the attack upon the perceived culture and identity of the Bosnian Muslims was then enhanced with organized rape. The crime of rape has a very broad dimension; nonetheless some researches have identified at least three motives of rapists. The motives include desires to humiliate the victim and the group to which the victim belongs (e.g. an

attack on male ego 'you cannot protect your women'), desires to demonstrate the power of masculinity, and desires for sexual relationship. These motives might have driven the Serbs to commit sexual assault against Muslim women. Despite the individual motives, however, there was evidence that in Bosnia, Serb soldiers were ordered to rape (Kressel, 1996: 41-42). Perhaps, what happened was a complex interlocking of individual motives and the order of ethnic cleansing. "We were ordered to rape so that our morale would be higher", admitted a captured Serbian soldier Borislav Herak; "We were told we would fight better if we raped the women" (Kressel, 1996: 3-4). The Partizan Sport Center and Sonja Café near Sarajevo were among the places described as "rape camps". European Community investigators suggested that in Bosnia about twenty thousand rapes were committed (Kressel, 1996: 3-4). Ethnic cleansing was a demographic strategy, employing terror and murder, to drive the unwanted population out of a particular territory; and "rape is a psychological grenade thrown into the middle of daily life to provoke maximum terror" (The Last War Crime, *New York Times*, June 14, 1998).

Third, the rape of Bosnia was intensified by the establishment by the Serbs (and also the Croats) of institutions labelled as "killing camps", "detention camps", and "killing centres". Each of these institutions had its own purpose and function. Such camps as Omarska, Brcko-Luka, and Susica were labelled as "killing camps" because the primary objective of detention was killing. Prisoners' death in these camps was a matter of hours or days. Places like Manjaca, Trnopolje, and Batkovic were labelled "detention camps" because, although torture was common, most of the detainees did survive. "Killing centres" were particular sites where people were gathered for immediate execution. Killing centres were located in some towns, including Visegrad, Zvornik, and Foca (Sells, 1996: 18-19). The establishment of these various institutions revealed the sense of organisation of the ethnic cleansing campaigns. Forms of less organised genocide, however, can be found outside Europe.

In Rwanda, the 1994 genocide was less organised. The methods used were also quite "primitive". Nevertheless, Destexhe (1995: 33) notes:

It would be a mistake to think that the killings were carried out in an anarchic manner. The reality is that they were meticulously well organized. However, the means used to accomplish them were primitive in the extreme: for example, the use of machetes and *unfunis*, (wooden clubs studded with metal spikes)...

Nevertheless, there was some sense of organisation behind the 1994 genocide in Rwanda. First, the killing operations seemed to have been planned in two phases. Immediately after the downing of the Hutu President Habjarimana's plane by an unknown party, a list of

targeted Tutsis and some moderate Hutus was distributed and the death squads started the killing. Then in a matter of days, the Hutu militias intensified their murderous operations against the Tutsi communities: starting with Kigali capital city, then, moving onto the countryside (Kressel 1996: 91). Second, the Hutu authorities formed militias, the *Interhamwe* (which means “those who attack together”) and the *Impuzamigambi*. (which means “those who only have one aim”). Although the formal reason for the establishment of these militias was to organize efforts in repelling the invading Rwanda Patriotic Front, the two groups of militias in fact were the ones that did and propelled most of the killing of the Tutsi population (Destexhe, 1995: 29). Third, the attacks upon Tutsi were coordinated through and supported by the Radio Mille Collines. Close associates of President Habjarimana owned the radio station. One of them was his brother-in-law (Destexhe, 1995: 30). The radio station operated an armoured vehicle to function as headquarters for coordinating the massacres. According to the United Nations report, the individuals targeted in the broadcast were among the first murdered in April 1994 (Kressel, 1996: 110). Rwanda neighbouring country, Burundi, had an even more primitive method of genocide.

In Burundi, the 1972 bloodshed perhaps represents the least organized form of genocide. Melady (1974: 15), the then United States Ambassador to Burundi at the time of the massacre, noted: “There was no clear evidence as to who was responsible. In some cases it seemed that the killings could be attributed to the settling of old disputes”. Nonetheless, Melady also suggested that the ethnicity of the dead revealed that the event was a selective genocide against the Burundi Hutu. The death toll ranged from 80,000 to 150,000 and the majority of the victims were educated Hutu (Melady, 1974: 34).

All of the above examples demonstrate how a state implements genocidal policy through a bureaucracy of murder. Organisation of genocide, involving various agencies and planning, is an essential factor for a successful implementation of genocidal policy. This is a way to explain *how* states commit genocide. The next question is: *when*.

When do states commit genocide?

The purpose of this section is to investigate why genocide occurs at particular times during a given type of regime and a given concentration of state power and not at other times. It is time now to investigate questions of this type: why did the Holocaust happen in Europe during World War II, not in World War I or in Cold War I? Why did genocide in

the former Yugoslavia happen in the era of Soviet Union implosion in the early 1990s, not during Cold War II in the early 1980s or in the War on Terror in the early 2000s? Why did Hutu slaughter Tutsi in Rwanda in 1994 instead of a few years earlier or later? In other words: When do states commit genocides?

Matthew Krain (1997) argues that openings in the political opportunity structure best predict the onset of genocide. And the occurrence of the so-called “openings” is subject to the changes of at least one of the following factors: the opening of the channel of participation, alteration in the ruling alignment, availability of influential allies, and a split within and among elites. The way the state responds to the opening is varied, ranging from accommodation, which leads to some fundamental political and social reform, to genocide. Wars, civil wars, extraconstitutional changes, or decolonisation will open “windows of political opportunity” and during these four major structural changes the state has more liberty to eliminate dissent. But, which factor does affect most the onset of genocide?

Krain (1997: 339) conducted an empirical study involving 35 episodes of genocide from 1948 to 1982 in 29 countries. Krain argues that, in terms of the onset, civil war is *the most* significant predictor of genocide. While external war and decolonization are also significant predictors, centralisation of state power and extraconstitutional change turn out to be less significant. His findings also suggest that ethnic homogeneity and economic marginalisation within the world economy are not significant predictors of the onset of genocide. On severity, Krain indicates that civil war, external war, economic marginalization and ethnic homogeneity are all significant predictors while extraconstitutional change is *the most* significant. Decolonization is the only less significant predictor. Krain’s finding on concentration of state power is interesting because it reveals the reverse order of that suggested by Rummel, as discussed earlier in this chapter. For Krain, as power concentration increases, severity decreases (Krain, 1997: 352). He, nevertheless, failed to explain such a phenomenon. A possible explanation, perhaps, can be inferred from Mann’s feudal type of state power, in which low infrastructural power negates the concentration of power, and hence leads to low severity of genocide. The strongest point in Krain’s finding is his assertion that civil war and external war are reliable predictors for both the onset and severity of genocide. This, thus needs further investigation.

If the question is *when*, then one should look at the state of civil or external war as the starting point of inquiry of genocide. There have been 164 wars since the end of World War II, about 77 percent of them internal wars. In the 1970s alone, the death toll reached 921,000 with about 90 percent (820,000) being fatalities of civil wars (Small and Singer,

1982: 134, 236). About 90 percent of the victims were civilians and many, if not most, of them died through genocidal actions. The link between genocide and war is thus straightforward and this is particularly true in the context of total war, either civil or external.

Total war, in the word of Luttwak (1971: 203) is “a war in which at least one party perceives a threat to its survival and in which all available weapons are used and the distinction between ‘military’ and ‘civilian’ targets is almost completely ignored.” In fact, argues Markusen (1987: 109), definition of total war overlaps that of genocide at least in three features. First, both total war and genocide increasingly involve mass killing of civilians. Second, in both total war and genocide, mass killing tends to be committed in a deliberate, organised, and premeditated fashion. Third, such mass killing is perpetrated by one or more of the warring parties as national security policy. The three features aside, the question is: in such a war-like situation *how* one could identify the early sign of genocidal intent of one or more of the warring parties. Or, precisely, *when* will bad conflict turn to worse genocide?

To answer such a question Charny and Rapaport (1982: 317-331) have adapted a concept of collective process into steps of the development of genocide. This paper then adapts Charny and Rapaport’s stages of genocide into a value-added process, in which the earlier stage gives an accumulative effect to the later stages. The task of this exercise is to depict ‘negative effects’, the accumulation of which will indicate a genocide-prone environment. Due to the simplified nature of Charny and Rapaport’s seven stages, this exercise is not meant to formulate a prophetic mechanism to predict genocide, but rather to indicate early warning signs. The adapted seven stages of genocide are as follows.

First, the very basic one, according to Charny and Rapaport, is to anticipate genocide from the contending societal forces between those supporting human life against those moving toward destruction of human life. If the latter forces – through manipulation of the existing cultural values and tradition, structural process and institution, as well as human rights status – are stronger than the earlier, then a genocidal policy has a greater chance of success. Some simplified questions might help clarify the nature of the contending social forces. For instance: Can the prevailing culture (i.e. parliamentary democracy, press freedom, constitutionalism) halt the state from waging nuclear war against its enemy, or using chemical weapons against its own minority? Can the existing structural processes and institutions (i.e. those which perform check-and balance control) assure the balance between the desire to protect life and that to destroy it? Can a citizen legally challenge the military draft on the ground of her or his moral commitment to non-violence, and hence promotion of human rights? If the answers are “cannots”, then they indicate negative effects.

Second, if the contending social forces incline towards the negative, then, as suggested by Charny and Rapaport, the observers must carefully account key historical, economic, political, legal, and social events and transitions. Charny and Rapaport seem to have been inspired by the Darwinian premise that a key of survival is the adaptability to change. For them, too, societal capacity to make major readjustment when facing major historical events and transitions in maneuverings for power is a key of group survival. Interpreted from the perspective of the value system of the group (see the first stage), major historical events incite group dynamics, which greatly influence the subsequent collective process of readjustment (Charny and Rapaport, 1982: 322). Thus, as it concerns group adjustment, the simplified question is this: Will an acute (economic, political, security) crisis unleash the group's bitterness, which in turn will trigger the group to seek such compensation as chauvinism, if not racism? If the answer is "yes", it indicates a negative effect.

Third, once "adjustment" has been taken, Charny and Rapaport suggest that observers detect whether leaders of the collapsing state start forming genocidal fantasy and ideology. For Charny and Rapaport, such a dangerous game can be revealed from

[the] progressive unfolding of a fantasy or goal of genocide articulated either by the leadership of a group or through the prevailing motifs of the group as a whole and progressing to the point of being codified and ritualised in the basic ideology of the group, but not the expression of extremist personalities or fringe groups (1982: 323).

In this stage, the simplified question is this: Is an ideology to justify the victimisation policy (i.e. dehumanisation or scapegoating of the targeted group) in the making? If the answer is "yes", it represents a negative effect.

Fourth, Charny and Rapaport further explain that the formation of such genocidal fantasy and ideology is usually marked by some precipitating factors – dramatic events perceived as real or symbolic threats to the group – that trigger the group's latent style of response to threat. As such, when a nation or a region is devastated by political, economic, and security crises, one should ask this simplified question: Can the perceived precipitating factor (i.e. abortive coup, ethnic violence, demographical and environmental stress), be manipulated by the state to support the formulation of the ideology of or social engineering towards genocide? If the answer is "yes, it can", then the answer depicts another negative effect.

Fifth, Charny and Rapaport suggest that observers detect whether the state mobilises means to genocide in order to put the aforementioned genocidal fantasy and ideology into effect. As such, one should ask a simplified question like this: Is the banality of crime,

through complex organisation, if not bureaucratisation, of murder in the making? “Yes” will represent a negative effect.

Sixth, once mobilisation is on the way, warn Charny and Rapaport, observers must be able to detect the state’s attempt to legitimise and institutionalise genocide. The reason is straightforward. In the order of a genocidal state, as explained by Horowitz (1981: chapters 3-7), genocide grows out of the state power and structure. As such, the institutionalisation and “legitimation” of genocide (in a fashion explained by Tilly as discussed earlier in this chapter) is a blatant attempt to grant impunity to the whole perpetrators. If this is the case, then the simplified question is this: Is the state formulating (or promoting) legal and authoritative instruments to create an environment conducive to genocide? “Yes” will represent a negative effect.

Seventh, once the state has successfully legitimised and institutionalised genocide, the observers must, argue Charny and Rapaport, carefully detect whether the state is actually executing the genocide and encouraging an experience-denying mechanism. At least, two simplified questions must be addressed. Is a systematic killing going on? And, despite such killing, does society do business as usual (i.e. courts, churches/ mosques, press, and other guardians of morality function well in daily life)? If the answer is “yes”, it represents the ultimate topping of negative effect.

The point is, genocide and war is separated by a thin line. Some characters of war overlap those of genocide and hence, civil and external wars are main predictors of the onset and severity of genocide. Through a careful observation of the collective process, in which the seven stages of genocide can be identified and monitored, it is possible to calculate when a bad conflict will likely turn to genocide. The exercise above reveals the more the accumulative negative effects along the seven stages, the more the likelihood of genocide. It should be noted that the process is not always linear and the genocidal drive at any stage, even at the final stage, is not irreversible. In any stage, however, the first stage – the contending societal forces between those supporting human life and those moving toward destruction of human life – is always the underlying factor all observers must consider.

Conclusion

The conclusion, unfortunately, is somewhat gloomy. Every state is potentially genocidal. Yet many, if not most, states experience genocide at one point or so in their political

history. On state power, little is known about the turn of its character from protective to predatory. Pathologically, perhaps, little can be done about the drive towards genocide. But something can be done to identify, and then control, the trigger that alters the force that supports life to become an excessive force that destroys life. Put it simply, can the over-valued survival of “us” be attained without inflicting genocide to “them”? Since human “security” is not a matter of “scarcity”, a depleted resource “out there”, it is now time to think of its attainment from the perspective of collective power (i.e. through cooperative way), instead of distributive power (i.e. through competitive way). It is time to think of security as a renewable condition that everyone – those belong to “us” and those belong to “them” – can contribute to attain it. Otherwise, human society will fall into the tragedy of self-amputation, if not destruction. And the triggers of such a tragedy are human selfishness and ignorance.

In the examination of such triggers, scholars must, again, focus on the relationship between genocide and the concentration of state power. Rummel’s study has prompted thinking on how to make an authoritarian state become a democratic one, and then, how to prevent that democracy from developing the cancerous totalitarian enclave. And Mann has also prompted thinking on how to suppress despotic power while promoting infrastructural power, and then how to prevent the infrastructural power from submitting itself to the despotic power. Such a vicious circle is hard to break. This simplified example might help: during the Cold War, the crusade of democracy against authoritarian world had made the democracy totalitarian, and hence genocidal. As such, the moral of this tragedy, perhaps, is not so much about “power corrupts; absolute power corrupts absolutely”, but rather, about how to hold power without being seduced by the power.

Managing control of “the power to control others” is, however, not only a matter of self-consciousness of the power holders. It, too, is a matter of creating political system or social environment that honour human lives, without being obsessed to its preservation. As state power is extended to bureaucracy, then the bureaucracy must be rescued from the danger of falling into, in the words of Rummel, “the totalitarian enclave”. And hence, as suggested by Horowitz (1982: 135), there is a pressing need to have a bureaucracy which functions as a servant or at least an agency for developing incentive, and not a master of government, and also to insure that the bureaucracy is an entity apart from the selfish interests of the power holders. The insulation of the bureaucracy from the selfish interests of the power holders is a way to strengthen the bureaucratic infrastructural power, and hence help its function as two-way street, channelling the forces of the state and civil society. A well functioning bureaucracy can help detect early signs of genocide.

Genocide does not occur in a vacuum. In most cases, genocide is a process associated with the state business such as war making, state making, the protection racket, and the extraction. As such, an eternal vigilance is needed to observe any genocidal impulse developed in the course of this state business. There are two ways to deal with this reality or human experience. For those who use a pessimistic perspective, be prepared to accept the fact that the state is unlikely to give up its traditional fashion of using organised but “legitimised” crime in pursuing its business. For those who use an optimistic perspective, be prepared to accept the fact that civil society has the freedom to disorganise and de-legitimise the crime associated with the state business. In the final analysis, the optimistic perspective is the modality to challenge the genocidal state and hence, a way to help the social force that supports human life flourish.

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