

Raising some flags – The problem of genocide and historical security studies

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‘This decision about Afghanistan is not just about Afghanistan, it’s about ending an era of major military operations to remake other countries.’ This sentence, declared by President Joe Biden on 31 August 2021 reverberated in my head while writing this contribution.¹ ‘The end of an era’ – this diagnosis (or prophecy?) communicates perfectly with A. Dirk Moses’s scathing critique of neoliberal interventionism and of liberal modernity itself, with its proclaimed universalism, imperial superiority complex and corresponding global order aspirations. His book, *The Problems of Genocide*, frequently reads as an engaged essay, but is in fact a highly detailed conceptual history of three discourse types that the author traces back to 19th-Century liberal imperialism.

Moses sets out to deconstruct three conceptual tenets of present-day international law and collective security. He unpacks the genealogy of (1) ‘the language of transgression’, of (2) the institutionalization of the crime of ‘genocide’, all legitimized by the argument of (3) ‘permanent security’. His aim in doing all this: to convince the reader that ‘the concept of genocide is part of the problem of civilian destruction rather than its solution’(vii). In this contribution, I will briefly explain how Moses convincingly builds his case for the first two concepts, but leaves some loose ends in trying to historicize the notion of ‘permanent security’. Nevertheless, and this should be emphasized at this early juncture: Moses’s attempt as such is crucially important in shattering consolidated legal, political scientific and historiographical positions on genocide, international law and security.

1. President Biden, ‘Remarks by President Biden on the End of the War in Afghanistan’, 31 August 2021, White House, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2021/08/31/remarks-by-president-biden-on-the-end-of-the-war-in-afghanistan/>.

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Dirk Moses's sweeping declaration of war on genocide-wielding scribblers and scions of power puts the problematic aspects of the concept of genocide squarely at the frontline of historiography. Moses already contributed to the field of genocide studies with his formative work on genocide in colonial and settler situations. In his 2004 volume, *Genocide and Settler Society*, he brought together authors and evidence to paint a bleak picture of ongoing radicalization as well as an acceleration of genocidal intentions and structures associated with settler colonialism in Australia as demonstrated by the practice of stealing indigenous children.² But in this new study, instead of working *with* the concept of genocide (to identify patterns of transgression), Moses works *against* it (to present the very concept of genocide as a problem).

I refer to this 2005 volume because it returns to the notion of radicalization in discourse and practice. Fuelled by a long trajectory of a radicalizing discourse on transgression, on 'gross violations of the principle of humanity', American and British foreign policy establishments created a legal language and hierarchy of transgression. Starting with 19th-century condemnations of Ottoman transgressions (against Armenians), they proceeded with objections against German atrocities that were targeted at French/Belgian/African civilians, leading to the formulation of the crime of genocide and the prosecution of the German destruction of the Jews in the Third Reich.

Yet, crucially, not the radicalization of the *crimes* itself, but the *legal language*, which was weaponized to penalize and institutionalize these criminal practices as international legal offences, is put on trial. It is the 'invention' of the legal offence of genocide as standing atop of the pyramid of gruesome transgressions that, according to Dirk Moses, obscures the underlying problem: the inclination and innate tendency of imperial states to wage campaigns of 'permanent security' against their alleged and perceived foes, and thereby producing 'forever wars' and 'forever victims' amongst civilian populations. This is where Moses connects the genealogies of transgression and international legal law with the notion of permanent security – putting down a pioneering tome that is the product of a lifetime's work. His earlier work on settler colonialism, comparative genocide, and the history of violence comes together in this historiographical and historical reasoning.

Problems emerging from security studies

Indeed, there is so much coming together in *The Problems of Genocide* that I would like to probe a bit deeper into the argument made specifically on the notion of 'permanent security'. Coming from the emerging field of historical security studies myself, I do want to raise some flags, since *Problems of Genocide* will, in all likelihood, become a seminal work in the field of historicizing genocide – and some caveats should be attached to it.

First of all, when embarking on a quest to 'historicize security', it is crucially important for historians to have their level of analysis staked out precisely and unequivocally. That means that one always has to distinguish between 'security' as an analytical concept in the hands of a historian, and 'security' as the political or semantic instrument of the historical actors under scrutiny. In *Problems of Genocide*, 'permanent security' oscillates between various categories of analysis and thereby unnecessarily obfuscating Moses's argument that 'permanent security', rather than genocide, should be the major offense that we need to steer clear of and rally against. It is a bit surprising that an author who devotes several chapters to critiquing both the concept of genocide, and its intellectual father, Raphael Lemkin (who, remarkably, is being blamed for being 'ingeniously opportunistic' on 203), in turn tries to insert a neologism into the political (and international legal) debate

2. A. Dirk Moses (Eds.), *Genocide and Settler Society. Frontier Violence and Stolen Indigenous Children in Australian History*, New York, Oxford 2004.

himself. Moreover, the concept that Moses wants us to embrace instead of Genocide, is the notion of 'permanent security'. Yet this latter concept is both an analytical category appropriated by Moses to make his case, and a semantic invention by an SS-Einsatzgruppen commander, Otto Ohlendorf, who used the term in his own defence in 1947 during the 'Einsatzgruppen Trial' to describe the Third Reich's war aims (33–34, 233–234). This conflation of historical Nazi-speak on the one hand and the analytical appropriation on the other is a bit confusing and even awkward at times.

Secondly, what Moses identifies as pejorative, or even evil in the insatiable, unstoppable and potentially totalitarian aspect of the idea of permanent security, is in essence the nature of (state-driven) security as such. Governments or regimes striving for security will always see new threats looming at the horizon, be they real or imagined ones. That assessment already holds true for 'security' as a policy imperative in itself. We do not need the Nazi qualification of 'permanent security' to raise awareness of the preventative security logics of forever wars (34–35). At this point, it becomes clear that the author - in making an excellent point! - has missed the insights that have already produced by critical security studies, constructivists and historical security scholars who have compounded on the inherent totalitarian nature of security over the past decades. Dirk Moses's argument would be better served if he had not come up with the strange claim of 'permanent security' as the main culprit. Moreover, his argument would have been more compelling if he would have historically situated the origins of modern preventative security logics in the setting in which it had first emerged as part of the new territorial or national security dispositive, around 1800. This was the time when Enlightenment ideas on security were hitched to new notions and practices of total war. Again, 'total war' is not an invention of General Erich Ludendorff after World War I (as suggested on 136), but operationalized by the young military strategist Carl von Clausewitz, who, inspired by the revolutionary and Napoleonic wars with their *levée en masse*, presented this new notion of total mobilization of society and the blurring of the boundaries between combatants and non-combatants. David A. Bell devoted his inspiring work, *The First Total War* (2007), to this historical watershed and explained how already during the Napoleonic wars, this 'fusion of politics and war' was realized.³

Embedding the logics of forever war in the genealogy of Nazi security thinking does underline Dirk Moses's point, but again, this has been done before. That the Third Reich embraced the concept of permanent security, starting with Adolf Hitler in *Mein Kampf*, is not a novel finding. Achim Saupe explained in 2010 how the Nazis presented their 'Volksgemeinschaft' as being in perennial peril and invoked the topos of total security (not permanent security) to counter that total threat.⁴ As the communist politician August Thalheimer already predicted in 1928 (cited by Saupe):

Faschismus und Bonapartismus haben der bürgerlichen Gesellschaft ‚Ruhe und Sicherheit‘ versprochen. Aber um ihre Unentbehrlichkeit als permanente ‚Retter der Gesellschaft‘ zu erweisen, müssen sie die Gesellschaft ständig als bedroht erscheinen lassen: also beständige Unruhe und Unsicherheit. [...] Jede Zügelung der faschistischen Bande im Interesse der bürgerlichen ‚Ruhe und Ordnung‘ wie ihrer

3. D. Bell, *The First Total War. Napoleon's Europe and the Birth of Warfare as We Know It*, New York 2007; see also M. Broers, 'The Concept of 'Total War' in the Revolutionary-Napoleonic Period', in: *War in History* 15 (2008) 3, 247–268.

4. A. Saupe, 'Von „Ruhe und Ordnung“ zur „inneren Sicherheit“. Eine Historisierung gesellschaftlicher Dispositive', in: *Zeithistorische Forschungen/Studies in Contemporary History*, Online-Ausgabe, 9 (2010) 2, URL: <https://zeithistorische-forschungen.de/2-2010/4674>, DOI: <https://doi.org/10.14765/zzf.dok-1748>, in print, 170–187.

Ökonomie muß alsbald kompensiert werden durch eine neue Erlaubnis zu terroristischen Exzessen, Plünderungen usw.⁵

Interestingly, Saupe demonstrates how the age-old, medieval and early notion of ‚tranquillitas‘, of quiet/peace and order (the Prussian ‚Landfrieden‘), became transplanted by a radicalizing claim to total security, leading to the creation of all kinds of security agencies: ‚Sicherheitspolizei‘, ‚Sicherheitsdienst‘, and ‚Reichssicherheitshauptamt‘. Security became an overarching dispositive that sucked up all other domestic, social, foreign domains into its orbit. Yet, even more strikingly, after World War II, the new democratic government in West Germany, but also elsewhere in Europe, did not abandon these totalitarian conceptions of security, but adopted, translated and embedded them within the liberal democracies and social security states and encompassing liberal security cultures of the West. Arnd Bauerkämper, Eckart Conze, Klaus Weinbauer have also written amply about this development.⁶ An important point that they raise is that in situations of total war, the domestic aspect of security is as much a part of the discourse on total security as the foreign, international legal part reconstructed by Dirk Moses.

At the same time, Ulrich Beck in his *Risikogesellschaft* (1986), and in his later work on the *Global Risk Society* has firmly and squarely demonstrated the extent to which total notions of threat and danger, heightened by computerized, mediated, global risk projections and new technologies of the planning for the worst case, can produce an insatiable thirst for security.⁷ Rather than pointing further to the wealth of literature in this domain, one only needs to watch Adam Curtis’s brilliant documentary ‚The Power of Nightmares‘, broadcasted shortly after 9/11, to feel how our current mediascapes and timescapes have been altered by this new type of risk culture, with its logic of preventative, putative, ‚permanent security‘.⁸ In short, ample literature exist on total war, total security, preventative logics of security and risk, and it is imperative for us as historians to take such works into account if we want to produce new genealogies of security-related concepts (such as genocide) and present historical lineages or parentages of such concepts.

The problem of intentions and outcomes

A last flag that I would like to raise relates to the dichotomy that this book makes between politicized and depoliticized international criminal offenses. The main thrust of Dirk Moses’s argument

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5. As cited in Saupe, see above: A. Thalheimer, ‚Über den Faschismus‘ [1928], in: Gruppe Arbeiterpolitik (ed.), *Der Faschismus in Deutschland. Analysen der KPD-Opposition aus den Jahren 1928 bis 1933*, Frankfurt a.M.1973), 36–37.
 6. E. Conze, ‚Sicherheit als Kultur. Überlegungen zu einer „modernen Politikgeschichte“ der Bundesrepublik Deutschland‘, in: *Vierteljahrshefte für Zeitgeschichte* 53 (2005), 357–380; idem, *Geschichte der Sicherheit. Entwicklung – Themen – Perspektiven*, Göttingen 2018; G. Fürmetz / H. Reinke / K. Weinbauer (eds.), *Nachkriegspolizei. Sicherheit und Ordnung in Ost- und Westdeutschland 1945-1969*, Hamburg 2001; A. Bauerkämper (ed.), *Sicherheit und Humanität im Ersten und Zweiten Weltkrieg. Der Umgang mit zivilen Feindstaatenangehörigen im Ausnahmezustand*, Berlin, Boston 2021; B. de Graaf / C. Zwierlein (eds.), *Special Issue: Security and Conspiracy in History*, in: *Historical Social Research* 38 (2013) 1.
 7. U. Beck, *Risikogesellschaft. Auf dem Weg in eine andere Modern*, Frankfurt/M 1986; idem, *World Risk Society*, Cambridge 1999.
 8. See A. Curtis, ‚The Power of Nightmares. The Rise of the Politics of Fear‘ (Documentary, 2004). See also M. de Goede, *European Security Culture. Preemption and Precaution in European Security. Inaugural Lecture‘* (University of Amsterdam, 2011), or Barbara Adam’s seminal essay on postmodern timescapes and insecurity: *Timescapes of Modernity. The Environment and Invisible Hazards*, London, 1998.

is that rather than depoliticized notions of genocide, we should uncover and identify the political crimes of permanent security, and deconstruct their immanent logic of insatiable security. It is not genocide alone, but civil wars and other types of atrocities (such as the civil wars in Rwanda or Yemen) that cause as much or even more civilian casualties. These atrocities may not be inspired by ‘apolitical’ racial hatred, but are the outcome of calculated deployment of force as well as the result of national security strategy and even military necessity. This utility of force underlying permanent security, according to Dirk Moses, constitutes the real crime since it intentionally strives to keep its civilian deaths outside the scope of international law, and conceives them to be merely ‘collateral damage’. As such, this critique on the ‘hierarchy of international crimes’, and the appeal that *Problems of Genocide* makes to replace this hierarchy ‘with a new non-hierarchical approach that places civilian protection against all manifestations of state violence at its centre’ is a innovative contribution to the field of critical security studies.

Yet, is it always so straightforward? Can we always estimate what the intentions of the perpetrators of mass atrocities were or are? Political violence can be strategic for a country, political or instrumental for a group or faction, or part of a pattern of sadistic transgressions, and/or driven by ideological resentments and hatred or greed by individual commanders and followers – all at the same time. Take for example the Dutch atrocities in Indonesia in the second half of the 1940s that, as we speak, are under investigation by a governmentally appointed research committee consisting of historians. Indonesian uprisings were put on the agenda as terrorism (by Foreign Minister Eelco van Kleffens in the UN Assembly, for example, in 1947).⁹ The counterinsurgency operations (presented as police actions to public opinion) consisted of tactical massacres and shootings by the Dutch Armed Forces in order to intimidate and terrorize the population. They were also part of a strategic plan by the Dutch government to quell unrest and convince the rest of the world that they could remain a colonial power. However, for individual commanders, it was also a racially charged war against ‘inferior’ colonial subjects, with some commanders standing out for their sadistic crimes.¹⁰ Here, it is not at all clear, whether permanent security could replace genocide as a proven crime, or if this permanent security was liberal or illiberal. The Netherlands were a democratic nation that purported to bring peace and order to the unruly colonies. Yet, illiberal motivations for executing the military campaigns were expressed as well, in the words of Dirk Moses, as ‘the preventive killing of presumed future threats to a particular ethnos, nation or religion’ (37). To the Dutch community, the Indonesian rebels were portrayed as a threat to their ethnic dominance and their national grandeur. Where was the liberality in that?

Rather than making either/or claims about the allegedly instrumental or expressive nature of violence and offenses, should historians not stay away from such ahistorical dichotomies? Should we not rather be the ones who *reconstruct* the messy trajectories of violence, trace the development of spontaneous revolts into engineered counteractions over time, and uncover how the attribution of top-down strategies clashed with individual transgressions and rogue behaviour on the ground? Such reconstructions of the oscillating, multifaceted and multi-vectored trajectories of violence will inevitably show that mass violence can be simultaneously political, religious, idiosyncratic and unintentional. Therefore, is the reconstruction of such situational genealogies not far more


9. Citations in *Friesch Dagblad*, 16 August 1947; see for more context B. de Graaf, ‘Terrorism in the Netherlands’, in: R. English (ed.), *The Cambridge History of Terrorism*, Cambridge 2021, 333–366.

10. See for example R. Limpach, ‘Business as Usual. Dutch Mass Violence in the Indonesian War of Independence 1945–1949’, in: B. Luttikhuis / A. Dirk Moses (eds.), *Colonial Counterinsurgency and Mass Violence. The Dutch Empire in Indonesia*, New York 2014), 64–90.

important for making sense of atrocities (and in helping to understand and preventing future ones from happening!), than producing new, one-dimensional and quite ahistorical notions such as permanent security?

That said, and with the above flags raised, the attempt to connect the reconstruction of the genealogy of genocide with the discourse on transgression and the emerging sub-discipline of historical security studies is a milestone both in the academic and public debate, and one that will keep our brains grinding and pens scribbling for the some years to come.

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