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## **Book Review: *Genocide as Social Practice: Reorganizing Society under the Nazis and Argentina's Military Juntas***

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*Genocide as Social Practice: Reorganizing Society under the Nazis and Argentina's Military Juntas*

(Translated by Douglas Andrew Town)

Daniel Feierstein

Rutgers University Press, 2014

260 pp., US\$ 29.95 (pbk)

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In this important new book, Daniel Feierstein presents a sociological reinterpretation of genocide based on the Argentine experience under the military junta. The argument reopens three key issues in the understanding of the phenomenon, which I evaluate in turn below: the general definition of genocide; the idea of reorganizing genocide; and the understanding of the Argentine case.

### **The Definition of Genocide**

Feierstein shares with me a dissatisfaction with the international legal definition, not least on the grounds of its notorious exclusion of political groups from the scope of the crime. He frames this, cogently, in terms of discrimination, as a failure to apply the prohibition of group destruction equally to political as to other types of group: "defining genocide in terms of the characteristics of the victims has no precedent in modern criminal law and clearly damages the principle of equality before the law" (25).

Also for Feierstein, the legal definition is excessively broad, so that it encompasses "the annihilation of population masses by the Ancient Greeks, Romans or Mongols" and misses the specific character of modern genocide. For him this has two key features. First, genocide is "the implementation of a massive and systematic plan intended to destroy all or part of a human group as such" (13). A "genocidal social practice" is a specific "mechanism" or "distinctive form of social engineering" used by modern regimes:

a technology of power—a way of managing people as a group—that aims (i) to destroy social relationships based on autonomy and cooperation by annihilating a significant part of the population (significant in terms of either numbers or practices), and (ii) to use the terror of annihilation to establish new models of identity and social relationships among the survivors (14).

Second, genocide is not simply a moment of implementation, but a longer-term process that "starts long before and ends long after the actual physical annihilation of the victims" (12): "[i]t is organization, training, practice, legitimation and consensus that distinguish genocide as a social practice from other more spontaneous or less intentional acts of killing and mass destruction" (14).

Moreover, "modern genocides have been a deliberate attempt to change the identity of the survivors by modifying relationships within a given society" (12). We can understand what Feierstein means by considering his critique of Holocaust historiography:

In focusing on the death camps in which Jewish and Roma communities were exterminated between 1942 and 1945, historians have tended to downplay the importance of the concentration camp system. And yet the first camps were opened almost as soon as the Nazis came to power in 1933 and remained a part of everyday life in Germany and Nazi-occupied Europe until the collapse of the regime in 1945. There has been no adequate account so far

of the role played by concentration camps as stepping stones to genocide or the range of victims imprisoned or murdered in them during the “reorganization” of German society and the Reich’s military expansion eastward (6).

This approach has some attractive features. It moves the definition of genocide away from a narrow emphasis on mass killing, which is only one of many means through which groups are destroyed but which for many writers has become the only means that counts. It recognises that genocide involves not only the ‘perpetrators’ attacks on the ‘victims’ but is also embedded in, and has implications for, wider power relations. And its emphasis on longer-term processes, exemplified in the reference back to the earlier stages of Nazi rule, is an important pointer to the need to connect moments of annihilation with preceding phases of discrimination and violence.

Yet the approach also has its problems. In specifying genocide itself as “systematic planning,” “social engineering” and a “technology of power” aimed at establishing new modes of power over the survivors, Feierstein comes too close to identifying genocide in general with the specific historical variant which he calls “reorganising genocide.” Genocide was proposed by Raphael Lemkin to describe a general class of actions, defined by their destructive aims towards population groups, and rightly criminalized in this vein. Although Lemkin characterized the Nazi genocide as a multi-method, coordinated attack on a variety of populations, the core of his concept is deliberate destruction. In other circumstances this can take different forms from the systematic social engineering of the Nazis. Lemkin recognised this variety in his manuscripts on colonial genocides. Leo Kuper more radically emphasised the wide range of genocide with his seminal idea of the genocidal massacre which is so valuable in analysing the messier, spasmodic but still organised destruction of populations widespread in twenty-first century world politics.

### **Reorganising Genocide and Nazism**

Feierstein’s “reorganizing” concept reminds us that the destruction of specific groups within a society is often part of a project to reorganise the society as a whole. He presents this idea as a specific type of genocide, but underlying it is a point of theoretical interest for all genocide: whether part of a reorganising project or not, the destruction of part of a society generally changes social relations in a profound way. It is difficult to believe that perpetrators are ever unaware of this dimension, so that we can always ask, what kind of society are they trying to achieve? Yet clearly there is much variation in the degree of formalisation into a defined project and in the way it is conceptualised. Colonial settlers who wished to create racially pure, or at least hierarchical, societies had different kinds of project from the ambitious social engineering which fascist and Stalinist regimes envisaged. The projects of loose coalitions of violent actors in today’s post-colonial world may be relatively inchoate compared to the cases that Feierstein considers “reorganising genocides.” The “reorganizing” concept makes sense if it designates a variant in which explicit and formalised social reorganisation is the driver of genocide.

Nazi Germany is Feierstein’s template for this type. I agree with his proposal to trace Nazi genocide back to 1933, not just because Hitler already had a project to reorganise society, but because his destruction of the labour movement and left parties, his early attacks on the Jews and the establishment of the camp system prefigured the more openly genocidal policies adopted from 1938-9 onwards (not only after 1941-2). The comparison of Argentina with Germany is suggestive, but the differences of context are much more substantial than Feierstein acknowledges. The Nazis were establishing a continental empire and enslaving tens of millions in the midst of a brutal and eventually desperate total war, while the Argentinian military were “reorganizing” a single nation-state in the relatively stable international context of the Cold War.

Moreover Feierstein’s view of the Nazi genocide as a “reorganizing” process that began with the concentration camps ascribes too much coherence to Nazi policies which mutated from national reorganisation into aggressive war. It was in the latter context that Nazi genocide escalated: from the mass murder of the German disabled, the deportations of Western Poles and the ghettoisation of Polish Jews in late 1939, through the mass shootings of Communists as well as Jews during the 1941 invasion of the USSR and the starving and freezing to death of Soviet prisoners of war in 1941-2, to the extermination of the Jews and Roma of a whole continent in the camps in the last years of the

war. To view all of this as “systematic planning” and “social engineering” defies today’s historical consensus, according to which Nazi policy escalated situationally in response to the opportunities and challenges that the war created. Hitler and the Nazi elite had grandiose schemes for their new racial empire, like the Generalplan Ost, but Nazi genocide was not the implementation of a preconceived plan.

### **The Argentine Case**

Feierstein acknowledges that his choice of cases to compare is personally driven: “the connection between these events is neither direct nor obvious,” but “to some extent ‘contrived’ in order to see what we can learn about the way genocide constructs, destroys and reconstructs the social fabric” (85). It seems likely too that there is a political dimension to the choice, since the Holocaust is the virtually uncontested standard of modern genocide, and the desire to see the Argentinian violence fully recognised in the genocide frame is an understandable background to this book. Connecting the Argentine case to the Holocaust is a politically obvious way of making the genocide argument. As Feierstein says of Vahakn Dadrian, who “has argued in several works that it is both possible and desirable to compare the genocide of the Armenian and Jewish peoples. Even though he does not say so explicitly, his goals are as much political as academic” (3).

Yet this strategy is less coherent theoretically than politically. I find the chapter in which Feierstein matches the Argentine events to the conflicting definitions that have been proposed for genocide less illuminating than his review of the Argentinian literature. As he says,

That the Argentine military were clear about their goals from the outset can be seen in the name they gave to their new regime: the “Process of National Reorganisation.” So it was that in the Republic of Argentina, an already existing nation-state that had been built – like most nation-states – on genocide, the *de facto* government of the military dictatorship proposed to “re-found” the state on a new social, political and cultural basis. The tool chosen to carry out this reorganization of society was the concentration camp (50).

A key issue is whether the military’s campaign was a dirty war, or whether the language of war masked a genocidal practice. Feierstein traces the origins of the project to 1974, and a work by Brigadier General Acdel Vilas, the head of Operativo Independencia (Operation Independence):

This was a military campaign to destroy the People’s Revolutionary Army (Ejército Revolucionario del Pueblo or ERP), a Trotskyist guerrilla group which, by the end of 1974, had seized just over a third of the mountainous northwestern province of Tucumán in an attempt to copy the Cuban revolution. Operativo Independencia ... became a testing ground for the repressive methods implemented during the military dictatorship a year later (132).

In Vilas’ mind, this reflection justified the need for clandestine operations in Dirty War that required – in his own words – a very different army from the traditional one – and thus, different values, different morality, another way to carrying out social practices. It meant replacing a predominantly military social practice – war – with an eminently political one – the destruction of social relations in the civilian population or ... genocide.

However, the military origins of the crisis have given rise, in Feierstein’s view, to two erroneous perspectives: the “theory of the two demons,” according to which the extreme left militants are equally responsible with the military, and the distinction between innocent civilian victims and armed militants who implicitly merited the army’s repression. The latter leads to:

the unjustified assumption that the guerrillas died fighting while the victims – that is, those people who were taken to detention centers – were all non-combatants, irrespective of their political affiliation or relationship with the armed struggle. In fact, the guerrillas were just as much victims as those people who had no relationship whatsoever to armed or political organizations (141).

Feierstein cites various reasons given in the literature for rejecting the 'war' perspective, for example that there was no revolutionary army, that the revolutionaries controlled no territory, and that the society as a whole was not at war. However, the origins of the conflict in the ERP's control of parts of Tucuman suggests that we cannot dismiss the 'war' perspective. War and genocide are hardly mutually exclusive, and a context of war often helps explain why political conflict radicalizes to genocidal solutions. A failed attempt to ignite a civil war can be as politically consequential as a successful one. The Process of National Reorganization did not simply spring from the generals' minds with no context.

Likewise, Feierstein is concerned to reject the legitimization of the killing of armed militants. To the limited extent to which there was an armed struggle, and that militants were killed as a result of combat, clearly these deaths cannot be accounted genocide. However, I take Feierstein's point to be that most militants as well as non-militants were killed and abused outside the military context. Since the original armed conflict had given way to a genocidal process, we should see their killing as part of this. This argument is valid, but he does not deal with the obvious issue that in a sense armed opposition can be said to have helped, albeit in this case unknowingly, to provoke the military genocide. This argument, which has been raised (especially by Alan Kuperman) in relation to Rwanda and Kosovo, is surely relevant here, yet does not mean that one regards the perpetrators and victims symmetrically.

### **Which Group is Being Destroyed in the Argentine Genocide?**

The most striking and also most problematic feature of Feierstein's account is the way he ultimately argues for the genocidal character of the Argentine events. In my view, his account risks confusing the object of genocide with its policy context, because of an unusual conceptual move that seems to derive from the political motive of squaring the case with the international legal criteria for genocide.

Feierstein's reconceptualisation of genocide, and specifically concepts of "genocidal practice" and "reorganising genocide," seem to rest on his adoption of a particular legal argument made in the 1999 indictment by the Spanish prosecuting magistrate, Baltasar Garzón, of 98 Argentine military for crimes of "terrorism and genocide" under the dictatorship. For Feierstein, Garzón's key argument is that the term 'national group' is appropriate to classify the victims in Argentina. This, Feierstein writes, "is based on the fact that the perpetrators sought to destroy structures of social relationships within the state, in order to substantially alter the life of the whole. This is in line with Article 2 of the 1948 Convention . . . , which defines genocide as 'intent to destroy, in whole or in part, a national (...) group.' The Argentine national group has been annihilated 'in part,' substantially altering social relationships across the nation" (19).

Garzón's was an understandable legal tactic to catch the military perpetrators within an inadequate legal framework which recognizes national, but not political, groups as targets of genocide. Clearly all members of Argentine society can be considered members of the Argentine national 'group', in the rather arcane language of genocide law, but this does not make this a case of genocide in a coherent legal, let alone a sociological, sense. For clearly assorted leftists, their friends, families and alleged sympathizers were targeted by the Argentine military not because they regarded them as members of the Argentine national group, but for the opposite reason, that they did not regard them as legitimate members of the Argentine nation as they defined it. The military targeted a section of society, not the whole, with extreme violence, and this is what makes this a case of genocide.

Feierstein would have it differently: "the purpose of a genocidal social process is to destroy the broader fabric of social relations" (144). But this seems misleading in both empirical and theoretical terms. The Argentine dictatorship sought to destroy certain parts of the Argentine social fabric, in order to reorganise the whole. It was the destruction, not the reorganisation, that made the process genocidal. If the military had not targeted certain sectors of society, producing some 30,000 deaths, their "reorganization" would not have been genocidal; there would have been a non-genocidal restructuring.

We can see the importance of this distinction if we put the Argentine case in comparative perspective. A 2013 discussion on the list-serve of the International Association of Genocide

Scholars, in which Feierstein took part, compared this case with the Cambodian genocide. Yet there is a key difference: the Khmer Rouge attacked most if not all sections of the Cambodian population – the educated, urban dwellers, Buddhists, traditional peasant communities, ethnic and national minorities – because they regarded all existing institutions as part of the corrupt ‘old’ society to be replaced by the ‘new’ Kampuchea. Here the reorganisation was truly genocidal on a national scale, since no section of the population or existing institution escaped destruction, and the death toll of millions reflected the broader scope of the violence.

The concentration camps are, for Feierstein, the prime institutions of “reorganizing” genocide. In Argentina camps contained only one relatively small section of the population; in Cambodia, society as a whole was reorganised as a camp system. It does not diminish the genocidal character of the Argentinian military campaign to recognise the much narrower scope of its directly destructive policies, even if the broader reorganizing thrust affected society as a whole. For unlike the Khmer Rouge, the Argentine military aimed to rebuild society on a more conservative basis, strengthening some institutions while weakening others. “Reorganising” genocide, like genocide in general, obviously constitutes a wide spectrum.