…an attack upon human diversity as such, that is, upon a characteristic of
the ‘human status’ without which the very words ‘mankind’ or ‘humanity’
would be devoid of meaning. (Arendt 2006b: 268–269)

This is not an abstract ‘discursive experience’ that we can treat as some-
thing removed from the real world. No, this heart of darkness is an
ever-present possibility. (Elshtain 2004: 12)

The (post)modern engagement with evil is haunted by a paradox: On the
one hand, we are constantly—either directly or indirectly—confronted
with the evils the contemporary world has to provide; on the other
hand, there is widespread scepticism as to the political and philosophical
value and legitimacy of the concept of evil. Our predicament, it seems,
is that while evil is an inescapable phenomenon of human existence, the
employment of evil as a political and philosophical concept carries consid-
erable risks and dangers. It is certainly true, therefore, that evil is both ‘a
problem for thought and an aspect of our lived experience’ (Geddes 2000:
4). Nothing, perhaps, illustrates this paradox better than Hannah Arendt’s
largely incorrect prediction that ‘the problem of evil will be the funda-
mental question of postwar intellectual life in Europe’ (2005a: 134). For,
as Richard Bernstein rightly asserts, ‘Arendt was wrong. Most postwar
intellectuals avoided any direct confrontation with the problem of evil’
(1997: 127). In other words, just as the full magnitude of the totalitarian
horrors unfolded, ‘evil’ was largely banned from the intellectual discourse of philosophers and political theorists.

This ‘paradox of evil’, I think, leaves us with two options: The first is to accept that the concept of evil, due to its dangerous potential, must be banned from our moral and political discourse. The second option is to insist on the indispensability of evil as a philosophical and political concept but to remain cognisant of the dangers and risks it can carry. This book opts for the latter option (it would be a short book, indeed, if I opted for the former). It is guided by the conviction that phenomena such as genocide or crimes against humanity deserve, and even demand, the label ‘evil’. Too much, I believe, would be lost by eliminating evil from the philosophical and political realm; at the same time, however, too much would be risked by using evil in a non-reflective and simplistic manner. In this chapter, then, I seek to avoid the pitfalls of the predicament I have just sketched by employing a two-step strategy: The first step is ‘justification’, that is, I seek to justify the use of the concept of evil by defending it against what I call ‘evil-sceptics’; the second is ‘explanation’, to wit, the clarification of what I mean when I speak of evil (this is what I call a conception of evil) and why this conception of evil is an indispensable element of our philosophical and political discourse. This strategy is inspired by the pragmatist philosopher Richard Bernstein who insists (2005: 57; latter emphases added):

The primary question is always how to respond to what we take to be dangerous, threatening, or unjust situations. And when we conclude that someone or something is evil, we should be prepared to explain and justify what we mean, because we still have to decide how we will respond to this concrete evil. In making moral or political choices there is always the need for deliberation and questioning, and there is also always the possibility of disagreement.

In employing this two-step strategy of ‘justification’ and ‘explanation’ the chapter proceeds in three sections: I start with a first, rather tentative, step to approach the notoriously elusive concept of evil and argue that evil can be understood as a religious, moral and political concept. After having clarified that I am predominantly interested in the latter two forms, I set out to defend the employment of the controversial concept of evil in moral and political thought against ‘evil-sceptics’. In this second section, therefore, I will enter into a critical discussion with
a range of arguments against the use of the concept of evil; my aim here is to demonstrate why these sceptical arguments should compel us to develop a cautious and sophisticated conceptual discourse of evil but not, crucially, to abandon the concept of evil altogether. In the third—and central—section, by shifting the focus from an abstract concept of evil to a more concrete conception of evil, I will explain more concretely what I mean by ‘evil’ and show how this conception of evil can be applied to the phenomenon of mass atrocities. The purpose of this section is to create a conception of evil as a crime against humanity; this conception, I argue, can serve as a conceptual lens through which mass atrocities such as genocide and crimes against humanity can be interpreted, understood and, ultimately, confronted. The section consists of two parts: Since the conception of evil I will develop draws heavily on the thought of Hannah Arendt, I will outline Arendt’s account of evil as a crime against humanity in the first part. The second part of the section complements the first one by demonstrating more concretely the pertinence of Arendt’s ideas and insights for modern mass atrocities. Thus, the two parts of the third section will provide the conceptual lens through which mass atrocities can be interpreted, understood and confronted and also serve as the foundation for the following chapters on R2P, the ICC and agonistic global constitutionalism.

2.1 Approaching Evil

While Arendt’s prediction that ‘the problem of evil will be the fundamental question of postwar intellectual life in Europe’ (2005a: 134) was surely wrong, another prediction proved only too correct: ‘Totalitarian solutions’, she rightly pointed out, ‘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 man’ (2009: 459). To be sure, the Nazi Holocaust is still unsurpassed in its magnitude, and we might still grapple with the question if it is barbaric to write poetry after Auschwitz (Adorno 1983: 34); but this, of course, does not alter the fact that countless other man-made horrors have occurred since which deserve a label that expresses—in George Kateb’s words—our ‘utmost condemnation’ (1992: 199). This label, I think, is ‘evil’.

And yet, despite Cambodia, despite East Timor, despite Rwanda, despite Darfur, despite Srebrenica, despite Democratic Republic of
Congo (DRC) and despite Syria, to name but a few of the more recent cases in which evil has reared its ugly head, philosophers, political theorists and IR scholars recoil at the word ‘evil’. For them, it seems, evil belongs to different disciplines. It belongs, for instance, to the realm of literature where Goethe makes his Faust a puppet in the wager between God and the Mephistopheles, where Dostoyevsky’s Ivan Karamazov despairs in the face of all the useless suffering in the world, or where John Milton puts into thousands of lines of verse the biblical tale of the Fall of Man in his epic poem ‘Paradise Lost’. Evil, of course, also belongs to religion and theology. The central theme of the Holy Bible, after all, is the eternal struggle between ‘light and darkness’, ‘God and Satan’, ‘good and evil’. Theologians, moreover, have long pondered over the ‘problem of evil’ and the question of ‘theodicy’. Theodicy, a term coined by Wilhelm Leibniz, focuses on the question why God, if he is all-knowing, all-powerful and all-good, permits the manifestation of evil in the world. Or, as David Hume tartly put it: ‘Is God willing to prevent evil, but not able? then he is impotent. Is he able, but not willing? then he is malevolent. Is he both able and willing? whence then is evil?’ (1779, D 10.25). Leibniz himself attempted to solve the problem of evil through his famous dictum that God has created ‘the best of all possible worlds’. God, so Leibniz’s argument, had had infinite options when he created the world, but he chose to create the ‘best of all possible worlds’, that is, one in which human beings are endowed with free will. If, however, human beings have a free will, they will inevitably use this gift to bring evil to the world. Yet, for Leibniz a world in which evil occurs is preferable to one in which humans are not endowed with free will (1951: 345–355). By emphasising the freedom of the human will, Leibniz echoes in important respects Saint Augustine for whom ‘the root of the trouble lay with man’ as evil ‘rests in the will which has fallen from the proper orientation towards God’ (1998: 477). Hence, despite the important differences between the respective theodicies of the two thinkers, the significance of this Augustinian/Leibnizian conception of evil is that it frames evil as the product of human agency and free will rather than the consequence of uncontrollable and incomprehensible demonic forces (Rengger and Jeffery 2005: 7). Finally, one realm in which the rhetoric of evil has always played an important role is politics. Politicians have always been willing to use, misuse and abuse the rhetoric of the eternal opposition of ‘good’ and ‘evil’ for their purposes. Think only of Ronald Reagan’s characterisation of the Soviet Union as the ‘Evil Empire’, Ayatollah Khomeini’s branding of the United
States as ‘The Great Satan’, or George Bush’s description of Iran, Iraq and North Korea as the ‘Axis of Evil’. In the years of the Bush junior administration between 2001 and 2009, the inflationary use of the rhetoric of evil reached new heights: Renee Jeffery provides an illuminating statistic according to which George Bush publicly referred to ‘evil’ more than 800 times between 2001 and 2008, followed by Ronald Reagan who used ‘evil’ 351 times between 1981 and 1989 and Bill Clinton who used the term 309 times between 1993 and 2001 (2008: 145). To be sure, the inflationary and abusive use of the rhetoric of evil by politicians has not established the ‘bad reputation’ of evil among philosophers and political theorists in the first place; but it is reasonable to believe that this abuse of evil has at least contributed to the fact that most contemporary philosophers and political theorists either shy away from the use of the concept or have narrowly focused on its dangers and perils without recognising its constructive potential.

But there is also, of course, another side to this story. For even a cursory glance at the history of philosophy reveals that evil has almost always been treated as a serious philosophical issue. In fact, most great philosophers—from Plato to Augustine, from Kant to Hegel, from Nietzsche to Marx, from Levinas to Arendt—have touched upon the question of evil (Bernstein 2002; Neiman 2015). And how could they have ignored it? After all, if humans have displayed one consistent character trait throughout history over and over again, it is their—in Immanuel Kant’s words—‘propensity to evil’ (1998: 53). Indeed, one of this chapter’s central arguments is that the moral and political reality of evil is undeniable: Humans have always killed, raped, tortured and looted, and there is no reason to believe they will ever refrain from perpetrating what George Kateb (1992: 199) calls ‘the worst wrong (s)’. Given evil’s undeniable reality, we would surely discard the concept of evil in philosophy and politics at our own peril. As Nicholas Rengger and Rene Jeffery point out: While ‘there are good reasons’ for being sceptical about the use of the concept of evil, the elimination of evil from our political and philosophical discourse ‘makes it difficult for us fully to comprehend—and therefore cope with—the sheer scale of the horror in which international politics exists, and this has its costs, both scholarly and practical’ (2005: 3). This statement expresses precisely what I have referred to as ‘the paradox of evil’ in the Introduction: While we need to make sense of our very real experience of horrors that deserve—and even demand—the label of ‘evil’, the use of evil as a philosophical and political concept carries considerable
risks and dangers. In other words, the transfusion of concrete experiences of evil into an ethical-political concept of evil is both risky and indispensable. The challenge that arises from this paradox is formidable: It is to develop a concept—or better, a conception—of evil that helps us comprehend and confront evil while avoiding, as far as possible, the perils that the use of evil can carry. And surely, the first step towards the development of such a conception of evil must be a careful discussion of the most powerful arguments against evil.

Before I can do so, however, it is necessary to bring a bit more analytical clarity to this contested concept. To begin with, a preliminary point that, interestingly enough, is very rarely made in the literature. The Oxford English Dictionary (OED entry on ‘evil’ 2020) offers a dizzying number of definitions of evil (as both an adjective and a noun) that seems to have, as their lowest common denominator, the idea that evil is the antithesis of good. This, however, gives an idea of evil that I reject as overly broad and unhelpful. To understand why, it is worth recalling that the German language has (at least) two different words for evil: The first one is ‘übel’ (or ‘das Übel’), a word that chimes with the spirit of the OED definitions as the opposite of good, or as something ‘bad’. The second expression of evil in German is ‘böse’ (or ‘das Böse’), which is a much more specific and radical expression; it establishes a moral (and, as I will argue, political) absolute, which exposes the common saying that ‘evil is always and everywhere’ as a meaningless cliché. The former understanding and use of evil is, of course, neither particularly controversial nor illuminating. In fact, many political theorists, especially those in the realist tradition, do not seem to have problems to use evil as übel. Such an undifferentiated use of the word evil, though, empties the concept of its critical analytic potential because it occludes the vitally important distinction between übel and böse, the distinction, as it were, between that which is merely ‘bad’ and that which is ‘evil’—we might call this the ‘banalisation of evil’ (which is not to be confused with the ‘banality of evil’). Hannah Arendt’s *Eichmann in Jerusalem*, by contrast, expresses this latter understanding of evil in its German subtitle *Die Banalität des Bösen*. By referring to evil as das Böse, Arendt makes immediately clear that she speaks about something more serious, more dangerous and more destructive than übel. To be sure, I will draw a finer distinction between ‘isolated acts of evil’ and ‘radical evil’ below; at this point, I merely want to make clear that I exclusively use the word evil in this more specific and, undoubtedly, more controversial sense as böse/das Böse.
With this clarification in mind, it is possible to discern ‘natural evil’ and ‘moral evil’. The former refers to natural disasters, diseases and the like, while the latter denotes evil resulting ‘from the misuse of free will on the part of some moral agent in such a way that the agent thereby becomes… blameworthy for the resultant evil’ (Trakakis 2007: 26). ‘Moral evil’—the more relevant form of evil for our purposes—can itself be sub-divided into ‘evil actions’ and ‘evil intentions’, a sub-division that corresponds to the distinction between ‘deontological ethics’ (focusing on the inner motives for a particular act) and ‘consequentialist ethics’ (focusing on outcomes rather than motives). However, while this sub-division will become relevant later in the chapter, there is a more fundamental distinction to be drawn here: this distinction is between religious, moral and political conceptions of evil. First, it is possible to understand evil in a religious sense, thereby referring to a struggle of supernatural forces in the world. Such a religious understanding of evil is not entirely irrelevant for my argument—in fact, we will encounter some related claims in the next section; the clear focus of this chapter, however, is on secular and post-metaphysical ideas of evil. Secondly, evil can be viewed as a moral concept. There are two perspectives from which we can observe the moral dimension of evil: First, evil acts have the obvious consequence that they produce human suffering. Indeed, the canon of Western moral (and religious) thought on evil has presented the production of human suffering as the primary problem, or, as I call it, the main ‘evilness of evil’ (Larrimore 2000; van Inwagen 2006; Peterson 2016; Owino 2017). As a consequence—and secondly—calling something or someone evil is the normative judgement that someone or something deviates in an extremely negative manner from what is widely regarded as ‘normal’ or ‘morally acceptable’. Finally, the particular evils with which this book is concerned—mass atrocities such as genocide and crimes against humanity—have an undeniable political dimension. They can thus be understood as ‘political evils’ (Kateb 1992; Hayden 2009; Wolfe 2012). Again, the political dimensions of this understanding of evil are twofold: First, mass atrocities are evils on such a large scale that they have to be perpetrated, or at least supported, by politically powerful collective agents. In the overwhelming majority of cases, political evil occurs, as George Kateb reminds us, when governments or other political actors perpetrate, support or permit evil and evil thus becomes a ‘policy’ (1992: 204). Crucially, however, evil has a second, less obvious political dimension: In addition to the fact that evil is perpetrated by political actors, evil
always has far-ranging and devastating political ramifications. To be sure, Kateb is right when he insists: ‘what Hitler, Stalin, Mao and Pol Pot did was evil’ (1992: 202); but, as I intend to demonstrate in this chapter, mass atrocities deserve the label ‘political evil’ also because of the evil repercussions they produce for political life.

One of the central arguments of this chapter, then, is that the moral and political dimensions of evil are inextricably linked and that any attempt to reduce evil to either a moral or a political phenomenon must fail to comprehend the reality of evil. Moral and political evil, I argue, are not two mutually exclusive categories but two sides of the same coin. Evils such as genocide and crimes against humanity, therefore, should be understood as moral-political evils. Such an interpretation leads to a better understanding of what is at stake in mass atrocity situations which, in turn, can help to confront these evils. What is needed, in other words, is a conception of evil that can accommodate both the moral and the political dimensions of harrowing mass atrocities. And, indeed, the creation of such a conception of evil is the main purpose of this chapter.

2.2 Defending Evil Against ‘Evil-Sceptics’

As noted, the concept of evil has a rather bad reputation among philosophers, political theorists and IR scholars. Although some thinkers have recently stressed the continuing importance of the concept in moral and political thought—I call these theorists ‘evil-revivalists’ (see, for instance, Lu 2004; Card 2005, 2010; Kekes 2005; Jeffery 2008; Hayden 2009; Russel 2014; Neiman 2015; Nys and de Wijze 2019; Rae 2019)—‘evil-sceptics’, who emphasise the risks and perils of the concept, remain the majority. The analytically helpful juxtaposition of ‘evil-revivalists’ and ‘evil-sceptics’ leads us to the fourfold purpose of this section: First, this section engages with, and responds to, some of the main arguments of ‘evil-sceptics’; second, it demonstrates that their arguments should not compel us to abandon the concept of evil in political and moral thought; third, however, this discussion also demonstrates that some evil-sceptics raise (very) legitimate objections to which the conception of evil that I develop in the final section must respond; it is, thus, the critical discussion with evil-sceptics in this section that will allow me to develop such a conception of evil in the next one.

Terry Eagleton claims (2010: 13) that it is ‘soft-hearted liberals and tough-minded Marxists’ that are uncomfortable with the concept of evil.
Yet, this is too much of a simplification. In truth, ‘evil-scepticism’ comes from many different corners and from authors with a variety of ideological backgrounds. I have selected five major arguments against the use of the concept of evil in philosophical and political thought. For the sake of analytical clarity, I present and discuss them in isolation from each other. I wish to make clear, though, that most of these arguments belong to more than only one category. The argument, for example, that evil should only be used in religious contexts (first argument), is closely related to the objection that the quasi-religious treatment of evil after 9/11 has led to the ‘abuse of evil’ (second argument) which, in turn, had the purpose of ‘demonising the enemy’ (third argument). While we should keep this in mind, I believe that this simplification facilitates the achievement of the purposes of this section without treating the arguments of evil-sceptics unfairly.

2.2.1 A Fundamental Mindset Inclined to Burn Witches

Some people recoil at the concept of evil because of its alleged religious or supernatural connotations. They claim that it is inappropriate to use such a religiously and supernaturally loaded concept in politics or philosophy as it implies that there are ‘menacing forces at large in the world, working at a deeper level than individual human agency’ and that the world is ‘the stage for a battle of supernatural powers’ (Dews 2012: 2). Lance Morrow (2004: 12) captures the spirit of this criticism perfectly when he writes: ‘In enlightened political conversation, the word “evil” has been disreputable for a long time—and still is to a large extent… The word “evil”, in many minds, still smacks of an atavistic, superstitious, and even medieval simplism of a fundamental mindset that might be inclined to burn witches’. Gil Bailie (2005: 20) presents an almost identical argument, pointing out that ‘the word evil seems to stick in the throat of most of our rationalist commentators. Like the even more suspect word sin, it seems to harken back to a benighted age of superstition’.

This, of course, is a rather weak objection. For while it is true that evil plays a central role in religious doctrine, there is nothing inherently religious or supernatural about evil that would forestall its use in secular contexts. As we have seen, it was Saint Augustine—one of the most influential Church Fathers—who brought evil down to earth, as it were, by linking it to human conduct and agency and thereby rejecting the Manichean dualism which teaches that the world is a stage for the
eternal struggle between good and evil forces. The point is that it is perfectly possible to call, say, the genocide of Rwanda in 1994 ‘evil’ without implying that the genocidaires were possessed by supernatural forces. As Luke Russell (2014: 22) correctly points out:

> We ought not ignore the fact that there are many conspicuous, dramatic and memorable applications of the concept of evil to supernatural beings in religious texts… But nor should we overlook the many other conspicuous, dramatic, and memorable cases in which the concept of evil is applied to human actions, such as genocide, torture and serial killing… It is possible to be sceptical about the former, supernatural applications without being sceptical of the latter.

It is, therefore, less than helpful when leading (Christian) theologians feel compelled to comment on contemporary conflicts in world politics using precisely the supernaturally charged—even Manichean—language that provides grist to the mills of evil-sceptics. A case in point is the Archbishop of Canterbury’s commentary on the atrocities in Syria, which he describes as ‘evil both in the strict theological sense and in the general sense. It is demonic. It’s the absolute contempt for the human spirit. For the dignity of the human being’ (Wintour 2016). For the truth is that humans are perfectly capable of perpetrating evil themselves. As Shakespeare noted long ago: ‘Hell is empty. All the devils are here’ (1994: 38).

### 2.2.2 Abusing Evil: Dichotomising the World

By itself, the argument that evil is an exclusively religious concept might be weak. In practice, however, this argument is almost always coupled with the more powerful objection that the quasi-religious application of the concept of evil generates and reinforces a simplistic ‘black-and-white’ dichotomy while political and moral problems are, in truth, never as clear-cut and straightforward as they might appear at first blush. The most elaborate argument along these lines is developed by Richard Bernstein in his aptly titled book *The Abuse of Evil.* Bernstein concisely summarises the motivation behind the book, as well as its central argument, in the Preface (2005: VIII):
I have been extremely distressed by the post-9/11 ‘evil talk’. I argue that the new discourse of good and evil, which divides the world according to this stark and simplistic dichotomy, is an abuse of evil. Traditionally, the discourse of evil in our religious, philosophical and literary traditions has been intended to provoke thinking, questioning, and inquiry. But today, the appeal to evil is being used as a political tool to obscure complex issues, to block genuine thinking, and to stifle public discussion and debate.

The book’s goal, in other words, is to demonstrate how the abuse of the concept of evil has corrupted politics and religion since 9/11. It is important to note, however, that Bernstein remains reluctant to abandon the concept of evil altogether. In fact, Bernstein draws a subtle but crucial distinction between the legitimate use of the concept of evil and the illegitimate abuse thereof: ‘When we survey historical attempts to comprehend evil’, he writes (2005: 9–10), ‘there is one characteristic that stands out: The confrontation with evil provokes thinking… But something different happened on 9/11… Suddenly the world was divided in a simple (and simplistic) duality—the evil ones seeking to destroy us and those committed to the war against evil’. At the heart of Bernstein’s distinction between the legitimate use and the illegitimate abuse of evil lies, again, the paradox I have diagnosed in the Introduction: On the one hand, Bernstein explicitly accepts ‘the importance of making sharp distinctions; we cannot act or think in the world without doing so. At times, we do need to make a clear distinction between friends and enemies’ (2005: 14). On the other hand, he is acutely aware of the dangers and perils of distinguishing and judging. It is all too tempting, Bernstein warns, to abuse the concept of evil for the creation of simplistic dichotomies rather than use it as a device to facilitate critical moral-political judgement (2005: 14).

Two points are particularly important here. First, Bernstein’s critique is highly pertinent and must be taken extremely seriously by anyone who attempts to revive the concept of evil in philosophical and political thought. At the same time, however, it must not be overlooked that Bernstein merely criticises the abuse of evil. He laments the ruthless exploitation and distressing abuse of evil and accuses the neo-conservative Bush administration of having mutilated a philosophical concept that has traditionally served as a device to stimulate rather than stifle debate and critical thinking. At the heart of Bernstein’s book, then, we find a warning against the abuse of evil rather than a recommendation to discard the concept altogether. Bernstein rightly draws attention to the
ambiguous character of evil, that is, to both its constructive potential to foster fruitful philosophical and political reflection and its destructive potential to facilitate the creation of simplistic dichotomies. He does not suggest, though, that the concept of evil should be jettisoned due to the ever-present possibility of its abuse. And surely he is right. For as Claudia Card eloquently puts it: ‘If the likelihood of the ideological abuse... were sufficient reason to abandon the concept, we probably should abandon all normative concepts, certainly “right” or “wrong”’ (2010: 15). And neither Bernstein nor I are prepared to do so.

To push the latter point even further, it must be noted that the language of evil is neither more nor less vulnerable to abuse than other normative concepts. There is, in Catherine Lu’s words (2004: 500), nothing inherently problematic with the language of evil itself, but it may be corrupted like any other instrument to serve morally destructive purposes. Nothing, therefore, would be gained by jettisoning the language from our moral vocabulary, and much might be lost if we deny ourselves the full panoply of conceptual tools with which to describe and make sense of our... world.

2.2.3 Crusading Moralism

Some ‘evil-sceptics’ make the more radical argument that moral—and moralistic—concepts like evil can serve as political weapons to de-humanise human beings.8 Catherine Lu (2004: 499–500) alludes to this point when she writes:

If evil people are moral monsters who, like the sea monsters on ancient maps, lie in the realm beyond human knowledge and understanding, they also lie outside the circle of humanity and beyond our universe of moral obligation. This usage of ‘evil’ should immediately alarm anyone concerned with morality in politics. For it seems that the attribution ‘evil’ to persons in this fashion is to deny the validity of common moral rules and considerations with regards to such persons.

In this colourful passage, Lu refers to the dangers of allowing moral concepts into the sphere of politics: They can easily be transformed into weapons to demonise one’s enemy, to stigmatise him as a monster that must not only be defeated but destroyed by all available means.
Arguably, the most influential argument along these lines was developed by Carl Schmitt. In *The Concept of the Political*, Schmitt, trying to tease out the characteristic criteria of ‘the political’, introduces his famous claim that ‘the specific political distinction to which political actions and motives can be reduced is that between friend and enemy’ (2007: 26). This distinction, Schmitt argues, follows fundamentally different rules than, for instance, the moral distinction between good and evil. According to him, the amalgamation of the two distinct realms of the political and ethics leads to two highly dangerous consequences. First, moral arguments become a pretext for waging war. Second, these wars are ‘unusually intense and inhuman’ as they are based on the idea that the ‘enemy’ is, in fact, a ‘monster that must not only be defeated but utterly destroyed’ (2007: 36). Thus, the moralisation of politics transforms the political enemy of a state into a foe of humanity itself; this demonisation, in turn, justifies the most rampant violence against him:

When a state fights its political enemy in the name of humanity, it is not a war for the sake of humanity, but a war wherein a particular state seeks to usurp a universal concept against its military opponent. At the expense of its opponent, it tries to identify itself with humanity in the same way as one can misuse peace, justice, progress, and civilization in order to claim these as one’s own and deny the same to the enemy. The concept of humanity is an … instrument of imperialist expansion…: whoever invokes humanity wants to cheat. To confiscate the word humanity, to invoke and monopolize such a term probably has certain incalculable effects, such as denying the enemy the quality of being human and declaring him to be an outlaw of humanity; and a war can thereby be driven to the most extreme inhumanity. (Schmitt 2007: 54)

Obviously, then, Schmitt’s critique attempts to be more radical than Bernstein’s thesis of the abuse of evil. For by stressing the dangers of eradicating the strict separation of politics and morality, it claims to seek to ban moral concepts completely from the political realm. In truth, however, it is rather obvious that Schmitt’s arguments are inherently moral; when he fears that moral arguments are a ‘peculiar way of justifying war’, which thereby can be ‘driven to the most extreme inhumanity’, Schmitt raises moral concerns. Clearly, he attempts to attack the Just War Tradition (Slomp 2006), a tradition that has always tried to establish moral guidelines for the resort to and the conduct of war; and yet, he remains closer to the guiding principles of this tradition than he himself
 realised. It is thus not particularly surprising that a perceptive (and, it should be noted, highly sympathetic) commentator like Leo Strauss could diagnose that ‘Schmitt is tying himself to his opponent’s views of morality...[and]... remains trapped in the view that he is attacking’ (2007: 119). Ultimately, Strauss notes, ‘the affirmation of the political is ultimately nothing other than the affirmation of the moral’ (2007: 117).

I would like to emphasise, though, that Schmitt’s inability to detach ethics from war and politics does not render his critique obsolete. To the contrary, his warnings are extremely relevant for the purpose of this chapter if we view them from a slightly different perspective. For, as Terry Eagleton (2010: 16) rightly observes, the categorical rejection of moral concepts in politics is often the consequence of a confusion of morality with moralism. Schmitt was particularly susceptible to this kind of confusion because he did not realise that his real aim was not to purify the political from morality but from the vice of moralism.

What, then, is moralism? The phenomenon of moralism is best characterised by C.A.J. Coady (2006: 1) as ‘the vice of overdoing morality’. The moraliser, Coady writes elsewhere (2010: 17), ‘is typically thought to lack self-awareness and a breadth of understanding of others and of the situations in which she and they find themselves...[The moraliser]... is subject to an often-delusional sense of moral superiority over those coming under his or her judgement’. In a similar vein, Michael Ignatieff regards moralism as ‘the great moral weakness of our age... [moralism is]... indignant moral posturing by people too lazy to think through the consequences of strong emotions’ (1992: 98). It is important to note, however, that moralism comes in many guises. One facet of moralism is indeed the Schmittian notion of ‘moral crusading’.9 Quite clearly, such an understanding of moralism underlies Caroline Kennedy’s perceptive article on the ‘Manichean temptation’ in US foreign policy, that is, the ‘permanent temptation for the United States to “moralise” its relations with others, often rationalising its own actions by demonising (sometimes literally) its opponents’ (2013: 624). Yet, while I share this aversion to ‘crusading moralism’, it must not be overlooked that the Schmittian argument can—and often does—lead to paradoxical consequences: For the very legitimate warning against stigmatisation and demonisation can itself turn into a highly moralistic pressure to abandon judgement and to refuse to make the sharp distinctions without which we cannot act or think in the world. Indeed, this is precisely where ‘soft-hearted liberals’, ‘tough-minded Marxists’ and many postmodernists seem to join forces
and to embark on a highly moralistic crusade against the concept of evil. In doing so, however, they unwittingly perpetuate the moralistic attitude that underlies so much contemporary political theory.

To put this point slightly differently, it is true that the concept of evil can be used to create a highly moralistic discourse with dangerous real-life consequences; it is equally true, however, that there is nothing inherently moralistic about evil. Indeed, the crusading against evil is itself a—subtle but, nonetheless, dangerous—form of moralism with the devastating consequence that we today seem to lack a conceptual vocabulary to understand and confront the very real phenomenon of evil.

### 2.2.4 Everything—Including Evil—Is Relative (and Only That Is Absolute)

A fourth objection to the concept of evil stems from moral relativists. This objection might be summarised thus: Evil is a moral concept. Moral values and beliefs are relative. They vary from person to person and from culture to culture. The use of the concept of evil, however, is based on a belief in universal moral standards. As such, evil has to be rejected because the assumption of the existence of a universal morality is an idle illusion at best and an insidious imposition of moral convictions on people and cultures with different beliefs at worst.

The aim of (moral) relativism, as Bernard Williams (2011: 172) explains, is ‘to take views, outlooks or beliefs that apparently conflict and treat them in such a way that they do not conflict. Each of them is acceptable in its own place’. There are, of course, different forms of moral relativism—the variant of cultural relativism, the notion that there are widely diverging ethical standards between different cultures, being the most relevant for our purposes—but, at their core, they all share an aversion to universal moral standards and codes (Moser and Carson 2000, Lukes 2008).\(^{10}\) It is hardly surprising, then, that relativists are suspicious of the increasing strength of the international human rights system. An illuminating example of their reluctance to accept international human rights standards provides a statement by—interestingly, I think—the American Anthropology Association submitted to the UN Commission on Human Rights in 1947, in which it openly criticised the Universal Declaration of Human Rights as an attempt to impose Western values upon non-Western cultures: ‘Standards and values’ the Association insists (1948: 542) ‘are relative to the culture from which
they derive so that any attempt to formulate postulates that grow out of the beliefs or moral codes of one culture must to that extent detract from the applicability of any Declaration of Human Rights to mankind as a whole’. This statement leads to one of the central arguments of this book: It is perfectly possible to sympathise with genuine concerns that the imposition of Western conceptions of human rights can—and sometimes does—amount to cultural imperialism without having to fall back on a crude ‘anything goes’ relativism. A useful starting point to think through the fundamental tension between universal and local values at the heart of (international) political and ethical life is provided by Chris Brown (2010: 95–96, 103):

On the one hand, all claims to social knowledge that are politically significant are grounded in particular ways of life and reflect the values and interests of that way of life. There appears to be no independent reference point which can be brought into play in order to allow us to make judgements which do not reflect and privilege the values and interests of a particular way of life…. On the other hand, there is a danger that this position will lead to a version of moral relativism which disables any kind of cross-cultural criticism with equally unsatisfactory consequences... If the obvious problems of moral relativism are to be avoided, then some practices must be thought of as wrong and treated accordingly, irrespective of their grounding in a culture.

Or, as Terry Nardin (1989: 149) pithily puts it, ‘if different societies observe different standards, by what common standard are relations between them guided and judged?’

To answer Nardin’s question: Evil must be regarded as such a common standard. This answer, however, is based on a fundamental distinction: the distinction between ‘mere’ human rights violations and evil. While I agree that many human rights and their interpretation are to a considerable degree culture-dependent, evil, I insist, is a universal phenomenon. In other words, there is an important difference between, say, a violation of the freedom of expression and the evil of genocide. Later in this chapter I will argue that evil manifests when a cataclysmic transformation of ‘mere’ human rights violations into the qualitatively different phenomenon of evil takes place; my point here, however, is that while many human rights can only be fully understood within their particular cultural, societal, legal and political context, evil transcends parochial boundaries. To put it bluntly, mass atrocities such as genocide and crimes against humanities
are evils irrespective of the context within which they occur. They are, as Judith Shklar (1998: 10–11) notes, ‘a sumnum malum which all of us… would avoid if only we could’. In a similar vein, Stuart Hampshire insists (2001: 9, 47) that ‘evils, unlike visions of a better social order, are not culture dependent’. They are the ‘savage and obvious evils, which scarcely vary from culture to culture or from age to age…. these primary evils stay constant and undeniable as evils to be at all cost averted’. This view has been confirmed by the members of the ICISS: Although they undertook several rounds of discussion and deliberation with representatives from all over the world prior to publishing their landmark report on R2P, not one of the interlocutors objected to R2P on the grounds that its normative principles would violate the moral standards of a particular country. And there was (and is), of course, a reason for this reluctance to play the ‘trump card’ of relativism: For the argument that genocide or crimes against humanity are accepted practices in some parts of the world would simply be absurd and lack legitimacy.

It seems clear, then, that invoking moral relativism against the concept of evil is an empirically and normatively flawed strategy. It is empirically flawed because no state or statesman seriously insists on the moral legitimacy of evil practices. The normative shortcomings of relativism, however, are even more important: On the surface, relativism preaches a tolerant worldview that seeks to avoid conflict; what lurks behind the mask of purported tolerance, however, is often an inability or unwillingness to draw boundaries and exercise judgement. As such, relativism is a particularly insidious form of moralism: Relativists, to be sure, bask in the glory of the slogan ‘we tolerate’; but what they actually say is ‘we don’t care’. Relativism, because it refuses to carry the burden of moral-political judgement, is all too often merely a complacent excuse for inaction. But as Henry Shue (1998: 77) reminds us: ‘Inaction too has its victims’. Recent history has shown how many.

2.2.5 The Concept of Evil: A Black Hole

Philip Cole, finally, stridently rejects the idea that the concept of evil ‘can tell us anything about the human condition’ and ‘explain anything about what humans do’ (2006: 1). For Cole, evil is an empty and explanatorily useless concept, a ‘black hole’ that should be relegated to the dustbin of history: ‘The fundamental question is one of explanation, and whether the concept of evil can play any constructive or useful role in explaining
human action. Is “because she was evil” ever an explanation, even a partial one? (2006: 9, 18).\textsuperscript{13}

This, I think, is a particularly challenging argument, which seems to be rather easy to refute at first glance but unveils a major problem upon closer inspection. One possible way to respond to Cole’s challenge, surely, would be to follow the reasoning of the evil-revivalist Luke Russell (2009: 268–269):

It is not clear that Cole is right to assume that evil will be a legitimate and useful moral concept only if it is explanatorily useful in this sense. Many moral concepts such as good, right, bad and wrong, appear to be purely evaluative or prescriptive, and hence do not appear to serve Cole’s explanatory function. Nonetheless, we could not build an ethical theory without such basic… concepts.

The fact, however, that my argument is based on the idea that evil can, indeed, play a constructive role as a conceptual lens through which mass atrocities can be interpreted, understood and confronted forecloses this route. A more fruitful counterargument, then, is that most, if not all, social, political and philosophical concepts are ‘empty’, they are ‘black holes’ up until the moment they are filled with meaning. The task, therefore, appears to be rather simple: giving concrete meaning to evil. Yet, as we shall see, this is by no means a simple task. The very idea of evil is notoriously elusive; any attempt to give precise meaning to it inevitably runs into serious difficulties and must be prepared to accept that there is simply no rigid and precise definition of evil. The critique of evil as a ‘black hole’, therefore, brings to the fore a further dimension of the ‘paradox of evil’: While we need evil as a part of our political and philosophical vocabulary to condemn, comprehend and combat the most heinous acts of violence, it is very difficult to be concrete about what we mean when we use the word evil. The conception of evil I will develop below will address the challenge that this paradox poses. What I wish to do at this point, however, is to pave the way for this conception of evil by briefly discussing the problem of the definition of evil.

The function of definitions is to capture the essence of certain phenomena, their common denominator, as it were, which ultimately allows us to subsume these phenomena under one general definition. It has been suggested that evil itself has no essence and cannot be defined. Susan Neiman, for example, refuses to offer a definition precisely because
‘evils can be acknowledged as evils without insisting that evil has an essence... Thinking clearly is crucial; finding formulas is not’ (2015: 286–287). Neiman certainly has a valid point. It is most likely true that evil has no essence and that no general definition can capture the ‘true’ meaning of evil. And yet, it must not be overlooked that theorists like Claudia Card or George Kateb do not shy away from defining evil as ‘foreseeable, intolerable harms produced by culpable wrongdoings’ (Card 2005: 3) or ‘the deliberate infliction (or sponsorship or knowing allowance), for almost any reason whatever, of suffering of great intensity, whether on a small or large scale, and of death on one, few or many’ (Kateb 1992: 200).14

So, is there a contradiction between Neiman’s refusal to define evil and Card’s and Kateb’s efforts to develop a definition? Not necessarily, I think. The key to making sense of this putative contradiction is to understand John Rawls’ important distinction between ‘concept’ and ‘conception’ (2005: 7–9). While the former denotes something very broad and general, the latter is more restricted and specific—after all, Rawls did not outline a general theory of justice but a more limited theory of social justice. Similarly, Kateb is not concerned with evil in general, but with what he calls ‘political evil’, and Card delineates a specific conception of evil based on an ‘atrocity paradigm’. My aim in the last section of this chapter is similar: I attempt to develop an account of evil that helps us better to interpret, understand and, ultimately, respond to the evils of mass atrocities—a specific conception rather than a general concept of evil. If I manage to be successful (and this brings the discussion back to its jumping-off point) I can disprove Cole’s argument that evil—or at least my conception thereof—is a ‘black hole’.

2.2.6 Abandoning Evil?

I have identified five major objections to the use of the concept or the language of evil in political and philosophical thought. I have rejected the argument that the term evil necessarily carries religious baggage and should thus be eliminated from our philosophical and political discourse; I have also shown scant sympathy for relativists who condemn the use of evil as an imposition of one particular set of values upon people and cultures with different beliefs and value systems. The three remaining expressions of evil-scepticism, however, namely, Bernstein’s warning of the abuse of evil, Schmitt’s attack on moralism and Cole’s criticism of evil as a ‘black hole’, pose serious challenges for ‘evil-revivalists’ like me.
So where do we go from here? Should the powerful criticism of evil-sceptics compel us to abandon evil? I think not. For despite its elusive character and its paradoxical nature, the concept of evil is indispensable if we wish to understand the very real phenomenon of evil and develop more effective ways to prevent and respond to some of the worst atrocities that humans can and do inflict on each other. It is at this point, though, where I want to come back to the understanding of evil as ‘das Böse’ that I have mentioned above; this understanding is important as it allows us to see the exceptional character of evil—evil is not ‘always and everywhere’ (but it is certainly sometimes somewhere). A direct consequence of this more specific (and more controversial) understanding is that evil, as I will argue in more detail below, is not a synonym for ‘human rights violations’; even less is it a synonym for ‘injustice’. For evil does not distinguish ‘good’ from ‘bad’ but distinguishes ‘bad’ from the absolutely unjustifiable *summum malum* which is to be regarded as a universal ‘evil’. Only by drawing this distinction can we understand and confront situations in which something far worse than merely ‘bad’ rears its ugly head. All this is eloquently expressed by Jean Bethke Elshtain (2009) in the following words:

> The problem with abandoning the category of evil is that it becomes nearly impossible to name certain phenomena in the world that must be combatted, that one must stand against. What is one to do, for example, with the phenomenon of a death camp, how do you describe that, do you say it’s just bad? It is the outcropping… of evil in the world through human action and if we lose our ability to name that and to figure out how to best oppose it and combat it, we have lost a great deal.

It is precisely because evil is not, as Elshtain notes elsewhere (2004: 12), an ‘abstract discursive experience that we can treat as something removed from the real world’ that we need a vocabulary to comprehend and confront it; it is precisely because ‘this heart of darkness is an ever-present possibility’ that we cannot afford to abandon evil.  

### 2.3 Evil as a Crime Against Humanity

Thus far, I have defended evil against ‘evil-sceptics’ and argued that the task of the theorist is not to abandon the language of evil but to develop sensitive and sophisticated conceptions of evil. The purpose of
this section is to create such a conception of evil: by conceptualising evil as a crime against humanity, my aim is to create a conceptual lens through which mass atrocities such as genocide and crimes against humanity can be interpreted, understood and, ultimately, confronted; moreover, this conception of evil will serve as the foundation for the following chapters on R2P, the ICC and agonistic global constitutionalism. The section, as noted in the Introduction, has two parts: since the conception of evil I will develop draws heavily on the thought of Hannah Arendt, I will outline Arendt’s account of evil in the first part. The second part will complement the first one by demonstrating more concretely the pertinence of Arendt’s ideas and insights for mass atrocities.

2.3.1 Hannah Arendt’s Account of Evil

For many—including me—Hannah Arendt has become the ‘foremost thinker of the post-metaphysical meaning of evil’ (Hayden 2009: 12). It is somewhat unfortunate, though, that many discussions of Arendt’s account of evil focus rather narrowly on her controversial notion of the ‘banality of evil’ in her report on Adolf Eichmann. According to Susan Neiman (2015: 271), for instance, Eichmann in Jerusalem (Eichmann) represents ‘the twentieth century’s most important philosophical contribution to the problem of evil’. However, a narrow focus on her ‘banality of evil’ thesis does not do justice to the true originality of Arendt’s thought on evil. In what follows, I will demonstrate that Arendt was primarily interested in the (interlinked) questions of what is distinctive about evil and why evil should be regarded as a crime against humanity itself. Arendt’s conception, in other words, without falling back on theodicy, shows what really is at stake when (radical) evil appears. But the originality and the constructive potential of Arendt’s account of evil fully reveals itself only when we interpret it within the broader context of her work. This requires us to immerse ourselves deeper in Arendt’s thought, much deeper, in fact, than some authors who restrict their focus to the ‘banality of evil’ argument have been prepared to do.

It is not surprising that the theme of evil runs like a red-thread through Arendt’s rich oeuvre. This interest in—almost obsession with—evil, after all, is rooted in her personal experience as a Jew living under, and fleeing from, the Nazi regime in Germany. Arendt was born into a Jewish family in 1906, grew up in Hannover and Königsberg, studied at the Universities of Marburg and Freiburg and received her doctorate in
philosophy from the University of Heidelberg. As she readily admitted, during her time at the university, Arendt had little interest in politics. Asked by the journalist Günter Gaus if there was a definite moment in her life that sparked her interest in politics, she responded (2000: 6): ‘I would say February 27, 1933, the burning of the Reichstag and the illegal arrests that followed during the same night’. After that night, Arendt began to work for a Zionist organisation, got arrested by the Gestapo and only managed to be released because she had made friends with the officer who had arrested her, and fled Germany shortly after. Together with her mother she first moved to Prague and Geneva and then made her way to Paris. Here she was soon detained as an enemy alien, but, again, managed to escape. Finally, in 1941, Arendt crossed the Atlantic and became an immigrant in the United States where she soon embarked on a successful academic career.

In Arendt’s case (as well as in everyone else’s, I think; but that is, of course, a different story), biography matters. For Arendt is one of those thinkers in whose work personal experience and theoretical reflection are inextricably linked. More precisely, the biographical details that I have just sketched are important for at least three reasons: first, they account for Arendt’s phenomenological approach to political theory. That is to say, her theoretical deliberations were never derived from abstract principles but always attempts to make sense of her real-life experiences. These experiences, as she explains, ‘sucked [her] into politics as though with the force of vacuum’ (2006a: 3) and served as impetuses for her theoretical insights. Secondly, the most striking of these experiences, one that should hold sway over Arendt for her entire life, was the encounter with the evil of Nazi totalitarianism. The phenomenon of evil is thus at the very heart of Arendt’s oeuvre, and every single dimension of her voluminous work is in one way or another an attempt to understand evil. In the words of Margaret Canovan (1992: 7), ‘virtually the entire agenda of Arendt’s political thought was set by her reflections on the political catastrophes of the mid-century’. Finally, while Arendt regarded the Holocaust as the epitome of evil, it would be a mistake to reduce her insights to this most extreme case of totalitarianism. As Arendt herself realised: ‘The greatest danger of recognizing totalitarianism as the curse of the century would be an obsession with it to the extent of becoming blind to the numerous... evils with which the road to hell is paved’ (2005a: 271–272). Arendt’s insights, therefore, are not only pertinent to totalitarianism but to all ‘the numerous... evils with which the road to hell is paved’.
In 1951 Arendt published *The Origins of Totalitarianism* (*Origins*), an attempt to make sense of the horrors of totalitarianism to which she refers as ‘radical evil’. The term ‘radical evil’ was, of course, coined by Immanuel Kant, a philosopher that Arendt deeply admired but whose idea of ‘radical evil’ Arendt rejected. For Kant, the undeniable fact of the human being’s ‘propensity to evil’ (1998: 53) was a consequence of man’s moral corruption and of the adoption of an evil maxim (Grimm 2002: 161). Arendt was clearly dissatisfied with Kant’s focus on inner motives and his neglect of consequences; yet, her own account of radical evil in *Origins* remains rather unclear. Her best characterisations of radical evil are that it attempts to ‘make men superfluous’ (2009: 457) and to reduce a pluralistic society to ‘One Man of gigantic dimensions’ (2009: 466). And shortly before the publication of *Origins*, Arendt, realising the shortcomings of *Origins*, writes in a letter to her mentor Karl Jaspers: ‘What radical evil really is I don’t know, but it seems to me it somehow has to do with the following phenomenon: making human beings as human beings superfluous’ (Kohler and Saner 1992: 165).

According to Arendt, then, the Holocaust was an attempt to ‘make human beings as humans superfluous’ or, in other words, ‘an organized attempt… to eradicate the concept of human being’ (Kohler and Saner 1992: 69). But how can we conceive of the ‘concept of human being’? Or, to put the question slightly differently: what exactly did the Nazis try to eradicate? To answer this question, we must turn to Arendt’s *magnum opus* The Human Condition in which she tries to work out what it means to be ‘human’ and what it means to lead a ‘truly human life’ (1998: 58). In *The Human Condition*, Arendt develops the argument that ‘humanness’ is achieved through, and conditioned by, our social relations and the chief human activities of labour, work and action. Labour and work, according to Arendt, are the two necessary steps on an ascending tripartite hierarchy: While the former ‘is the activity which corresponds to the biological process of the human body’, the latter ‘is the activity which corresponds to the unnaturalness of human existence’ and ‘provides an “artificial” world of things, distinctly different from all natural surroundings’ (1998: 7). These initial stages have to be transcended in order to arrive at the stage where humans can be human beyond mere biological existence—action. Crucially, when Arendt speaks of action, she always means an activity unique to human beings—this activity is political action. The ability to act politically is thus the ultimate expression of our human-ness. For the conduct of political action, however, a central ingredient
is indispensable: the existence of a plurality of human beings. ‘Action,’
Arendt writes in an oft-quoted passage (1998: 7), is

the only activity that goes on directly between men without the interme-
diary of things or matter, corresponds to the human condition of plurality,
to the fact that men, not Man, live on the earth and inhabit the world.
While all aspects of the human condition are somehow related to politics,
this plurality is specifically the condition—not only the conditio sine qua
non, but the conditio per quam—of all political life.

Plurality, then, is the precondition for political action which can only
take place between ‘men, not Man’. Thus, when Arendt insists that the
‘radical evil’ perpetrated by the Nazis amounted to a crime against our
common humanity, she means that the true ‘evilness’ of this evil was its
organised attempt to eradicate plurality as the fundamental ontological
condition of humanity itself. Radical evil, therefore, represents ‘an attack
upon human diversity as such, that is, upon a characteristic of the “human
status” without which the very words “mankind” or “humanity” would
be devoid of meaning’ (Arendt 2006b: 268–269). For Arendt, the ulti-
mate expression of our humanness lies in the capacity to spontaneously
come together in the public sphere, to act in collaboration with fellow
human beings and to create an artificial, political ‘world’. Totalitarianism,
by trying to reduce society to ‘One Man of gigantic dimensions’, sought
to eliminate this capacity by eradicating its necessary precondition—the
existence of human plurality. Richard Bernstein perfectly captures the
hubristic mindset on which radical evil is based when he writes (2002:
213): ‘What makes this evil so distinctive is the hubris of those totalitarian
leaders who think they are omnipotent, that they can rival a God who
created a plurality of human beings’. In Arendt’s view, what the Nazis
failed to understand was that by trying to eradicate human plurality the
Holocaust was not only an attempt to wipe out the Jewish people but
threatened the very idea of humanity. For ‘we are all the same, that is,
human in such a way that nobody is ever the same as anyone else who
ever lived, lives or will live’ (Arendt 1998: 8). That is, only so long as
there is an (almost) infinite plurality of human beings does it make sense
to speak of humanity. A common humanity, in other words, exists; but
the fundamental characteristic of this common humanity is the condition
of diversity, difference and plurality. The very absurdity of the Holocaust,
therefore, did not lie in the fact that it sought to wipe out an enemy; it
lay in the fact that it sought to eradicate the very concept of humanity and thus by definition the perpetrators themselves.

It should not be overlooked that the implications of this account of radical evil are nothing short of revolutionary. While throughout the history of philosophical thought evil has been equated with human suffering (Larrimore 2000), Arendt refuses to do so. For her, what makes radical evil truly evil is not primarily the suffering of human beings. ‘Suffering of which there has always been too much on earth is not the issue’, she insists (2009: 458–459). She maintains that the ‘evilness’ of radical evil is its assault on our common humanity and its attempt to eradicate plurality; in this conception human suffering becomes almost a by-product of the more cataclysmic attempt to eradicate our common humanity. This central characteristic of Arendt’s account of evil is more fundamental to her conception of evil and also more original than her thesis of the ‘banality of evil’. Crucially, this characteristic, which is frequently overlooked by theorists who focus too narrowly on the ‘banality of evil’ thesis, renders Arendt’s account of evil distinctly anti-moralistic and accounts for its enormous political potential.21

It is true, though, that with Eichmann Arendt seems to have distanced herself from this conception of ‘radical evil’ and appears to have replaced it with the thesis of the ‘banality of evil’. She insists in Eichmann that Adolf Eichmann, the Nazi Obersturmbannführer who was responsible for the logistical organisation of the deportations to the death camps, was not a demonic genius and even denies that Eichmann was driven by anti-Semitic sentiments. ‘The decisive flaw in Eichmann’s character’, she diagnoses (2006b: 47–48), ‘was his almost total inability ever to look at anything from the other fellow’s point of view’. This character trait, however, should not be interpreted as stupidity but, rather, as ‘thoughtlessness’—a dangerous form of shallowness that goes hand-in-hand with a lack of ability to think and judge for oneself. The term ‘banality of evil’, then, illustrates the dangers of self-absorption and shallowness and demonstrates that it is not only possible to perpetrate evil deeds without possessing satanic greatness but also that human beings are capable of doing evil without being evil. In contrast to Kant, who understands evil as the adoption of evil maxims, Arendt deems it perfectly possible to commit evil deeds without being an evil person. Susan Neiman (2015: 272), therefore, summarises the gist of the banality of evil thesis when she points out that:
the conviction that guilt requires malice and forethought led most readers to conclude that Arendt denied guilt because she denied malice and forethought—though she often repeated that Eichmann was guilty, and was convinced that he ought to hang. Her main point is that Eichmann’s harmless intentions did not mitigate his responsibility.

This, obviously, brings us up against the question of the relationship between ‘radical’ and ‘banal’ evil. Did Arendt simply replace ‘radical evil’ with the notion of the ‘banality of evil’? After all, she writes in a letter to Gershom Scholem (2000: 396): ‘I changed my mind and do no longer speak of “radical evil”. It is indeed my opinion now that evil is never “radical” that it is only extreme and that it possesses neither depth nor any demonic dimension’. The full originality of Arendt’s conception of evil, however, reveals itself only when the concepts of ‘radical evil’ and ‘banal evil’ are reconciled. This is perfectly possible: ‘Radical evil’, as noted, is the attempt to eradicate human plurality. It is most effective when it is, as in the case of Nazi totalitarianism, organised by the state itself, but it requires, at any rate, the support of powerful political agents. Radical evil, therefore, takes places at the ‘macro’ level. Banal evil, in turn, takes places at the ‘individual’ or ‘micro’ level. And yet, it is unquestionably true that Eichmann had contributed decisively to the ‘radical evil’ perpetrated by the Nazis. Moreover, Arendt never claims that the mere accumulation of ‘banal evil-doers’ at the micro level is sufficient for the perpetration of radical evil at the macro level. For there can be no doubt that the development of the ideological vision behind ‘radical evil’ requires the ‘satanic greatness’ of individuals like Hitler. At the same time, the organisation and maintenance of a system of radical evil depend on the thoughtlessness of persons like Eichmann. This is what Richard Bernstein means when he writes (2002: 218) that ‘the phenomenon that [Arendt] identified as the banality of evil presupposes the understanding of radical evil’. Banal evil, in short, is a necessary, but by no means sufficient, ingredient of radical evil.

Having outlined the central characteristics of Arendt’s account of evil, I would now like to address two further questions: First, did Arendt understand evil as a moral or a political problem? And second, did she regard evil as a parochial or a universal problem? To answer the first question, we must return to her views on (political) action. We have seen that the precondition for action is the existence of human plurality. Political action, however, is also intimately related to the public sphere in which
it can take place: This public sphere simultaneously makes action possible and is created, conditioned and maintained by action. Arendt calls this public sphere ‘the common world’. The concept of ‘the world’ plays a central role in Arendt’s thought because she insists that ‘in politics not life but the world is at stake’ (2006a: 156). Given the fact that ‘the world is at stake’, it would be reasonable to assume that political action in Arendt’s account might somehow serve the purpose of protecting this ‘common world’. And yet, in one of her most famous dicta Arendt insists that ‘the raison d’être of politics is freedom’ (2006a: 145). So, what does she mean by ‘freedom’ and what is the relationship between freedom, the common world and human plurality? Freedom, Arendt maintains, means ‘to call something into being which did not exist before, which was not given, not even as an object of cognition or imagination’ (2006a: 150). Arendt’s freedom, obviously, is not the ‘negative liberty’ of modern liberals, it is not the ‘freedom from’ something (Berlin 1969). Her conception of freedom draws on the conception of the ancient Greeks who interpreted freedom as an entitlement. Hers is a ‘freedom to’, namely, the freedom to appear in the public realm, to engage in political action and to create, condition and maintain a common world. Hers, ultimately, is a freedom to act. This, of course, leads to a complex construct: For if ‘the raison d’être of politics is freedom’, and if freedom is nothing else than the ability to act, then politics becomes its own purpose. Moreover, if politics is its own purpose and, as we have seen, political action allows us to be (and to become) fully human, then political action, freedom and being human are not just intimately linked, but are, in fact, one and the same; and the common world provides both the physical space where ‘men, not Man’ come together to express their human potential through political action and the realm which is constantly created and recreated by political action.

Many prominent commentators of Arendt’s work conclude from this that Arendt sought to detach moral considerations from politics. The only requirement for political action, so their argument goes, is that it happens; the content of action, and especially its moral implications, are of no concern to Arendt. Seyla Benhabib (1988: 46), for instance, claims that ‘Arendt… radically separated moral considerations from political power’; Faisal Baluch (2014: 20), in a similar vein, speaks of the ‘self-containedness of politics’ in Arendt’s narrative; and George Kateb (1984: 33) even arrives at the following conclusion:
Arendt talks about particular acts in a way that seems to strengthen one’s alarmed sense that her general theory of action can too easily accommodate great substantial evils, even the system of evil known as totalitarianism… If amorality is one kind of immorality, then in a few moments of recklessness, Arendt celebrates immorality.

Undoubtedly, this is one possible interpretation of Arendt. After all, she herself laments the ‘misplaced emphasis on the heart as the source of political virtue’ (2016: 96) and describes ‘goodness’ as inherently ‘unworldly’ and thus unpolitical (1998: 73–78). It is true that for Arendt humanitarian sentiments such as pity and compassion belong to the private realm; they are inherently unpolitical because they ‘shun the drawn-out wearying processes of persuasion, negotiation and compromise which are the processes of… politics’ and have ‘proved to possess a greater capacity for cruelty than cruelty itself’ (2016: 82, 88). Instead of allowing these sentiments to cloud our judgement, Arendt suggests, we should care for our ‘common world’. This common world, however, is the realm where political action leads to the ultimate expression of our humanity. Consequently, Arendt’s ‘amor mundi’—her ‘love of the world’ (Young-Bruehl 2004)—is, in fact, a concern for humanity itself. Such a concern for humanity necessarily entails a concern for the individual human being because ‘there must always be a plurality of individuals… to make reality even possible and to guarantee its continuation’ (2005b: 175).22 We can see, therefore, that Arendt’s claim that ‘in politics not life but the world is at stake’ is, in fact, an expression of her deep concern for our common humanity. The consequence of this account of the relationship between morality and politics is that radical evil is to be interpreted as both a political and a moral problem: The central characteristic of Arendt’s account of radical evil is that it is a crime against humanity itself because it constitutes an attempt to eradicate the ontological human condition of plurality. As such, radical evil seeks to annihilate humanity’s potential to realise its ‘humanness’ through political action by expunging its fundamental precondition; thus, human suffering and large-scale killing become, indeed, a political problem. Evil, thus understood, is therefore never either a political or a moral problem; it is—precisely because it is a crime against humanity itself—always both.

Let us now turn to the second question: Is evil merely a parochial or a universal problem? As I have shown that Arendt interpreted evil as a threat to our common humanity, it should by now be clear that
she understood evil as a universal concern (see also Hayden 2009: 6)—
accordingly, there should be a universal interest in combatting evil. Her
kosmopolitism becomes particularly obvious in her analysis of the Eich-
mann trial where she criticises the handling of the Eichmann case from
two perspectives: First, she argues that the wrong charges had been
brought against Eichmann. Israel accused Eichmann of ‘crimes against the
Jewish people’, which, according to Arendt, illustrates how profoundly
Israel misunderstood Eichmann’s deeds. Eichmann, she insists, was a
*hostis humani generis*—an enemy of all mankind—a perpetrator of crimes
against *humanity* itself. Secondly, Arendt was convinced that an Israeli
criminal court was the wrong setting for a trial against such an enemy
of all mankind. Arendt famously demands the creation of a ‘permanent
international criminal court’ because ‘the… monstrousness of the events
is minimized before a tribunal that represents one nation only’ (2006b:
270). Thus, precisely because Arendt regards evil as a crime against
humanity itself, and precisely because she regards evildoers as enemies of
all mankind, she advocates cosmopolitan institutions. The second reason
why evil is a universal rather than merely a regional problem stems from
Arendt’s insight that ‘evil… can overgrow and lay waste the whole world
precisely because it spreads like a fungus on the surface’ (2000: 396). If
we take this metaphor quite literally—and, as we shall see later, I think
we can and should—evil does not simply stop at the borders of the
region or the state in which it first occurs. Evil’s ability and tendency to
‘spread like a fungus’ and ‘lay waste the whole world’ makes it a universal
problem. From this perspective, then, evil is almost never an isolated
phenomenon; evil, rather, has the tendency to metastasise, to pose a threat
to the ontological human condition of plurality, and, ultimately, to devour
‘the whole world’—and humanity with it.

2.3.2 Mass Atrocities as—And Through the Lens of—Evil

Arendt, as noted, warned that we must not become obsessed with totali-
tarianism ‘to the extent of becoming blind to the numerous… evils with
which the road to hell is paved’ (2005a: 271–272). Despite this warning
there is a danger of applying her conception of radical evil too narrowly
and to restrict Arendt’s insights to the unsurpassed horror of totalitarianism. And because of this warning there is a danger of applying her
account of radical evil too broadly, that is, to ordinary human rights
violations and injustices. I seek to avoid these extremes and steer a viable
middle ground by applying Arendt’s account of evil to the phenomenon of modern mass atrocities such as genocide or crimes against humanity. The purpose of this section, therefore, is to demonstrate more concretely the pertinence of Arendt’s reflections for the mass atrocities of the twenty-first century.

A central argument of this book is that mass atrocities deserve, and even demand, the label ‘radical evil’; these mass atrocities, therefore, should be interpreted, understood and, ultimately, confronted through the conceptual lens of evil developed in this chapter. But what do I mean by ‘mass atrocities’? What, in other words, are the fundamental characteristics of the atrocities that should be analysed through this conceptual lens? I propose the following characterisation: the perpetration of harmful acts of physical violence on a large scale. While ‘acts of physical violence’ is probably the least controversial of these elements, the ‘harm element’ requires more explanation: It should signify that evil is characterised primarily by the harmful consequences of an act rather than by the inner motives of an actor. This, to be sure, is a controversial move, one that will almost certainly be contested by authors who follow Kant in arguing that evil is characterised by inner maxims. And, as we will see in the next chapter, the legal definition of genocide also stipulates the mental element of genocidal intent. However, it was one of the main purposes of Arendt’s *Eichmann* to demonstrate that evil intentions are not required for evil actions as actors are capable of *doing* evil without *being* evil. I follow this Arendtian view and argue that acts of violence can constitute a crime against humanity even if the perpetrators might not have the explicit intention to eradicate human plurality. The ‘large-scale’ element, finally, requires a certain magnitude of harmful violence, which renders these atrocities quantitatively and qualitatively distinct from ordinary wrongdoings. This, I think, is the most controversial of the elements, which is why I would like to elaborate and defend it in detail.

Let me start with a comparison of two different cases; this comparison will demonstrate that there are different forms of evil that take place on various levels and have different implications:

In 2016, a horrifying act of cruelty dominated the headlines in Austria for weeks: After an altercation, because he had smoked in the communal stairwell, a 19-year-old broke into the apartment of a 72-year-old woman. The man punched the old lady in her face and began to torture her: He smashed flower pots on her head, lit candles and heated an iron with which he tortured her. He tried to break the woman’s neck, but he failed.
At some point, the victim wailed: ‘Am I dead yet?’, and he responded, ‘Yes, now you are slowly dying’. Then he took a knife and slit her throat. After he had sexually abused the woman and had a shower, the man left the apartment and visited a nightclub.

Our second case is the conflict in Syria (which I will discuss in more detail below). Since its outbreak in 2011 the carnage in the Middle Eastern country has claimed between 400,000 and 600,000 lives and produced approximately 5.6 million refugees and 6.6 million internally displaced persons (UN High Commissioner for Refugees 2020). In addition to this humanitarian catastrophe, the conflict has had far-reaching repercussions for international politics and international security.

Undoubtedly, the two cases are fundamentally different. In the first case, due to the harrowing circumstances of the murder and the seemingly senseless cruelty of the perpetrator, it may be justified to call this crime ‘evil’. This evil constituted a perverse and hideous moral (and legal) offense. What it was not, however, was a political evil with universal implications. This evil took place on a ‘micro level’ and thus remained devoid of political and universal dimensions—such moral offenses might be called ‘isolated acts of evil’. To be sure, from an Arendtian perspective, there might be an objection to this classification: It might be argued—that Arendt regarded plurality as the fundamental precondition for political action and our common humanity. And since each and every killing of a human being reduces human plurality murder must be interpreted as an inherently political and universal problem. But such an argument overlooks that Arendt herself insisted on a crucial distinction ‘between transgressions, such as those we are confronted with daily and with which we know how to come to terms, and those offenses where all we can say is “This should never have happened”’ (2003: 109). Arendt, therefore, was perfectly aware of, and insisted on, the difference between isolated acts of evil and evil with political and universal implications.

This distinction, however, reveals an even more fundamental—and, I assume, controversial—characteristic of the conception of evil I seek to develop here: it is not (primarily) individualistic. This conception of evil as a crime against humanity rejects the individualism of the human rights discourse and of philosophers like Raimond Gaita who base their idea of a common humanity on an alleged ‘infinite preciousness of every human being’ (Gaita 2002); and it also rejects Kant’s dictum that ‘the violation of right in any one place on the earth is felt in all places’ (2006: 84). Why, then, do I insist on a non-individualistic conception of evil?
I do so to make use of the critical potential of evil as a moral-political concept while, at the same time, avoiding its dangerous moralistic potential. My argument is that radical evil must be confronted, if necessary by international intervention, because it constitutes a crime against humanity itself. However, interpreting every isolated act of evil as a radical evil—as a universal problem—leads to a dangerous moralism that opens the floodgates to chaos and mayhem in international politics. To be clear, this is primarily a pragmatic argument: The necessary consequence of the quasi-religious idea that each individual is ‘infinitely precious’, and the Kantian conviction that a violation of right ‘is felt in all places’, is that every isolated act of evil becomes a universal problem warranting international intervention; such a world, surely, would not be in a state of perpetual peace but in a state of perpetual war. An Arendtian conception of evil seeks to avoid such a counterproductive and dangerous moralism and insists on a much higher threshold for calling something evil: Acts of violence deserve and demand the label ‘evil’ only if they violate—to use Arendt’s words (2006b: 272)—an ‘altogether different order’: the order of humanity itself. For Arendt, as Patrick Hayden rightly notes, ‘totalitarian regimes, in their attempt to eliminate human plurality, ‘were not liquidating simply individuals, but rather the very idea of humanity itself’ (Hayden 2009: 6–7). Thus, to conceptualise evil as a crime against humanity means, first, to distinguish between the concept of humanity and the concept of the individual human being and, as a direct consequence of this distinction, to refuse to equate evil with human rights violations. Both steps require further elaboration.

The distinction between the concept of humanity and the concept of the individual human being requires, of course, a clarification of the term ‘(common) humanity’. Humanity, as I understand it, is a collective that is constituted, sustained and nurtured by a genuine plurality of religious beliefs, moral/ethical norms, cultural traditions and political ideas. The concept of humanity, it is worth noting, is not a meaningless abstraction—at least no more than the concept of the human being, the nation or other widely accepted concepts used in academic discourse. Humanity, rather, is a referent object worthy of—and in need of—protection. For our common humanity is not invulnerable; in fact, it is perpetually under threat to be seriously violated by attempts to eradicate plurality and diversity. And, as we have seen, this intimate relationship between humanity and plurality is at the very heart of Arendt’s account of evil as a crime against humanity. The question, however, is if the distinction
between humanity (as a collective) and the individual finds expression in Arendt’s work. After all, one increasingly influential reading—eloquently propounded by Sophie Loidolt (2018)—develops an individualistic interpretation of Arendt’s account of plurality and, by extension, her idea of humanity.\(^3^0\) Loidolt, to be sure, agrees with me that, for Arendt, plurality is more than a mere fact to be tolerated: it is a value to be cherished and, if necessary, to be defended. What distinguishes Loidolt’s reading of Arendt from mine, however, is that she develops a highly individualistic explanation for this normative idea of plurality: Plurality’s normative value, she says, lies in its potential to allow human beings to be—and to become—unique individuals.\(^3^1\) For Loidolt, then, plurality is a mere means to the ultimate end of individuality; the true normative value is located in the individual (2018: 176–177). This, undoubtedly, is an interpretation that can be gleaned from a reading of *The Human Condition*. Political action is what allows the human being to unlock her potential to become fully human; it allows her to be an individual. Thus, the individual is equated with humanity and a crime against the individual becomes a crime against humanity (i.e. evil). However, such an individualistic interpretation of Arendt is the result of reading (as Loidolt does; see 2018: 234) *The Human Condition* in isolation from *The Origins of Totalitarianism* and *Eichmann in Jerusalem*; in a problematic fashion, it glosses over the complex interplay between the individualism that we find in *The Human Condition* and the collectivism of *Origins* and *Eichmann*. By contrast, interpreting *The Human Condition*’s ostensible individualism against the background that is established by *Origins* and Arendt’s thoughts on crimes against humanity in *Eichmann*, as I have done in the last section, allows us to see that Arendt regarded the existence of an almost infinite plurality of human beings as the fundamental (pre)condition that allows the individual to become fully human; it is, in phenomenological terms, the *potentia* that allows the individual to ‘actualise’ her ‘humanness’. *Pace* Loidolt, it also allows us, however, to heed Arendt’s explicit warning that ‘humanness’ and ‘humanity’ are by no means one and the same: When ‘crimes against humanity’ was translated into German as ‘crimes against humanness’ (*Verbrechen gegen die Menschlichkeit*), she criticised this as a counterproductive and dangerous misnomer. After all, the use of the term *Menschlichkeit* (humanness) seemed to indicate ‘that the Nazis had simply been lacking in human kindness’, which was, Arendt insisted, ‘certainly the understatement of the century’ (2006b: 275). What had been violated was not just ‘some moral code’ (Benhabib 2007: 14) or some
demand of humanness: what had been violated, rather, was humanity itself. And thus, we can reject the idea that Arendt equated humanity with both ‘humanness’ and the individual human being.

It might still be objected that while Loidolt’s individualism rests on a selective reading of Arendt, my interpretation tips the scales too much in favour of collectivism. This argument, however, would overlook that my distinction between humanity and the individual human being is guided by the pragmatic idea that an equation of the two carries a highly dangerous moralism. Now, philosophers such as Loidolt might have scant interest in the real-life consequence of moralism; for our purposes, however, they are highly relevant. And Arendt, after all, was adamant that she saw herself as a political theorist rather than a philosopher (2000: 3). As such, she took the dangerous potential of moralism utterly seriously, which would, I think, make her sympathetic to my interpretation of humanity as a collective that is constituted, sustained and nurtured by a genuine plurality of religious beliefs, moral/ethical norms, cultural traditions and political ideas.

This leads to the second step. For the consequence of such an idea of humanity is that crimes against humanity require a certain magnitude; they take place at the ‘macro level’ and reach such a magnitude that they indeed violate humanity as a whole. The atrocities perpetrated in Syria are of such magnitude: The conflict has claimed the lives of hundreds of thousands, led to the displacement of millions and caused human suffering on an unimaginable scale. The very magnitude of this emergency, this ‘immense tidal wave of bloodshed and atrocity’ (United Nations 2017), poses a threat to human plurality and is thus a crime against humanity itself. Syria, thus, is a manifestation of the particular kind of evil in which I am primarily interested in this book and that I try to illuminate in this chapter32 (Table 2.1).

The separation of ‘isolated acts of evil’ and ‘radical evil’, however, creates an obvious problem: To qualify as a crime against humanity, 

| Isolated Acts of Evil | Radical Evil |
|----------------------|--------------|
| Micro level          | Macro level  |
| Moral, non-political, parochial | Moral, political, universal |
| Violation of human rights | Crime against humanity |

Source: Author’s creation
acts of violence must reach a certain magnitude, that is, they must be perpetrated on a large scale. This quantitative element constitutes the demarcation line between evil at the micro and evil at the macro level and gives ‘radical evil’ its political and universal dimensions. Certainly, evil, thus understood, becomes, as Kateb (1992: 209–210) observes, a ‘policy’ because it is organised by political actors; it is, however, the very magnitude of these crimes which transforms them into crimes against humanity itself. The problem, of course, is that it is impossible to say when exactly this transformation takes place, to wit, how many people must be affected by the violence and cruelty of evil. The ‘large-scale’ element of evil has to remain undefined for the simple reason that radical evil is unquantifiable. This does not change the fact, however, that such transformations regularly take place; and it is indeed possible—not always, but sometimes—to anticipate them. This was the case, for example, when Muammar Gaddafi (2011) denounced the Libyan protesters in 2011 as ‘cockroaches’ and blustered that ‘we will march in our millions to purify Libya inch by inch, house by house, home by home, street by street, person by person. Until the country is clean by the dirt and impurities’; and it also possible—as in the case of the Rwandan genocide in 1994—to see these transformations in retrospect. What is impossible, though, is to determine—both in advance and in retrospect—the precise moment of a particular transformation of violence into radical evil.

The ‘large-scale’ requirement, albeit undefinable, also shows why and how acts of radical evil are quantitatively and qualitatively distinct from ordinary human rights violations. To avoid misunderstandings, I do not deny, of course, that radical evil presupposes violations of human rights; human rights violations constitute, as it were, the necessary minimum requirement of radical evil—after all, killing, raping and other acts of violence violate the human rights of victims. The point is, however, that the perpetration of violence on a large scale initiates a cataclysmic transformation that transforms ‘mere’ human rights violations into radical evil. In other words, the overwhelming intensity and the magnitude of these atrocities produces a phenomenon that transcends the character of these crimes as human rights violations and elevates them to the level of radical evil. As such, radical evil is quantitatively and qualitatively distinct from human rights violations: While the latter violate the rights of individuals, the former violates humanity as a whole. Therefore, it is highly misleading to equate radical evil with violations of norms or human rights; not only because this language is, as Farid Abdel-Nour remarks, ‘cold, abstract,
and distant in the face of massacre, carnage and slaughter’, but, more importantly, because it is ‘incapable of capturing the core features of such situations’ (2004: 426–427). Viewed through an Arendtian lens, however, the ‘core features’ of mass atrocity situations differ markedly even from the conceptions of those who believe that evil’s distinguishing feature is the immense suffering it produces (de Wijze 2002: 213; Card 2005: 4; Jeffrey 2008). For by refusing to analyse mass atrocities exclusively through a moral lens, and by refusing to neglect the political implications of these crimes, this conceptual lens presents mass atrocities as moral-political evils, as crimes against humanity that seek to eradicate the ontological human condition of plurality; and although this conception is by no means indifferent to human suffering, suffering is only the by-product of this much more serious ‘evilness’ of radical evil. In some respects, this refusal to approach evil exclusively from the perspective of moral indignation is a commitment to political realism and an expression of its aversion to moralism. It is precisely at this point, therefore, where an Arendtian conception of evil immunises itself against Schmitt’s charge that the moralistic discourse of evil generates ‘the most inhumane extremes’. For this conception is acutely aware of the potentially moralising ramifications of the language of evil and its potential to encourage moral crusading. However, the realism that underlies this conception, the refusal to understand the evil of mass atrocities exclusively as a moral tragedy, and the light this conceptual lens sheds on evil’s devastating political ramifications, leads to a demoralised, soberer interpretation of the phenomenon of mass atrocities which, in turn, reduces the potential for moral crusading. In sum, this Arendtian realism creates a conception of evil that shuns moralism without rejecting morality. Moreover, this conception of evil has an important side-effect: Its focus on the importance of plurality as a fundamental political and moral value defuses Bernstein’s argument of the ‘abuse of evil’. For while Bernstein fears that the abuse of evil facilitates the imposition of simplistic moral truths and an eradication of the plurality of opinions, the argument at the heart of an Arendtian conception of evil is that it is exactly the eradication of plurality which is evil. Consequently, this characterisation of evil chimes with Bernstein’s argument against the use of the concept and, thus, serves as an antidote to the toxic influence of the abuse of evil.

Finally, I would like to elaborate on another dictum of Arendt. As a crime against humanity itself, radical evil is by definition a universal problem. This view is complemented by Arendt’s realisation that evil
has the tendency to ‘overgrow and lay waste the whole world… because it spreads like a fungus on the surface’ (2000: 396). This observation captures one of the most salient traits of evil: its ability and tendency to cross borders, to metastasise and to ‘spread like a fungus’; as such, evil almost never remains a parochial phenomenon. Interestingly enough, this observation is even more pertinent today than it was in the middle of the 20th century when Arendt articulated it. The reason for this can be found in the dynamics of globalisation and is revealed by Anthony Giddens’ definition of globalisation as ‘the intensification of worldwide social relations which link distant localities in such a way that local happenings are shaped by events occurring many miles away and vice versa’ (1990: 64). Giddens’ definition indicates that the increased mobility of people, the crumbling barriers for international trade, the growing interdependence of the global financial system, the unprecedented power of modern media, the permeable structures of modern state borders and the erosion of state sovereignty can have the unintended consequence of allowing evil to metastasise. Certainly, tearing down walls and removing boundaries and obstacles can be a blessing; it can also turn into a curse, however, precisely because globalisation makes it possible that local evils are shaped by evils occurring many miles away. The metaphor of the spreading fungus can be applied quite literally to contemporary global politics. The conflict in Syria provides an empirical example for this: The conflict started as a revolution against the Assad regime in 2011 and soon turned into a full-blown civil war. It did not take long for all parties to the conflict to engage in harrowing atrocities. In Arendtian terms, these evils began to lay waste ‘the world’ in Syria. Yet, as evil has the tendency to spread like a fungus, it could not be contained within Syrian borders; it became, as the International Crisis Group (2013) aptly called it, a ‘metastasising conflict’. Syria became a breeding ground for terrorist groups such as the ‘Islamic State’, which have proven willing and capable of exporting their bloody business to every region of the world; the evil of Syria has triggered a so-called ‘refugee crisis’ that continues to divide the member states of the European Union which, according to Claude Juncker, has culminated in an ‘existential crisis’ of the EU itself (Rankin 2016). The divide between and within Western states stems from the antagonistic imperatives of providing shelter to the poor and the concern that terrorists and other radicals might exploit an ‘open door policy’ and threaten the security of Western states; this chasm between and within Western states has played into the hands of right- and left-wing populists who are
all too successful in deceiving their followers with simplistic dichotomies and spoon-feeding them with oversimplified recipes for the purportedly unfolding ‘clash of civilisations’; moreover, the conflict escalated into what some commentators have called a ‘World War’ (Jenkins 2016, Bew and Maher 2018)—an international conflict in which numerous powerful states are directly or indirectly involved; and most obviously, the evil of Syria has plunged the traditionally fragile Middle East even further into chaos and anarchy, which of course, exacerbates the threats to international peace and security radiating from this troubled region. Finally, the failure of the (so-called) international community to respond to the Syrian crisis has been interpreted by scholars and practitioners alike as a ‘key example of the disintegrating liberal world’ (Duncombe and Dunne 2018: 37). ‘Syria’, Constance Duncombe and Tim Dunne assert, ‘shows the limits of humanitarianism’ (2018: 37). ‘What is intriguing’, they write, ‘is the extent to which proponents of all the main theoretical approaches agree that world order is at a crossroads, and that there is no sign marked “straight ahead”’ (2018: 31). Syria, then, is a global political as much as it is a humanitarian catastrophe. And it is a cautionary tale that the perpetration of harrowing mass atrocities is a very concrete phenomenon of ethical and political life. Even, and perhaps especially, in the globalised world of the twenty-first century.

2.4 Conclusion

Mass atrocities are an inescapable reality of human existence. But how should we interpret the meaning of these phenomena, how should we understand their destructive potential and how, ultimately, should we confront them? This chapter has argued that mass atrocities are so quantitatively and qualitatively distinct from ordinary wrongdoings such as human rights violations that they deserve, and even demand, the label ‘evil’. In so doing, the chapter has rejected the argument of evil-sceptics that the concept of evil ought to be abandoned from our moral and political vocabulary. However, I have gone further than merely to claim that we need the language of evil to express our ‘utmost condemnation’ (Kateb 1992: 199) for certain phenomena of moral and political life. In addition to this expressive function of evil, I have argued that a sophisticated conception of evil can also serve as a lens through which mass atrocities can be interpreted, understood and, ultimately, confronted. Such a sophisticated conception of evil can be found in the work of
Hannah Arendt. Arendt portrays radical evil as an attempt to eradicate human plurality and, as such, a crime against humanity itself. In Arendt’s account, radical evil is never merely a parochial but always a universal problem; for her, moreover, radical evil is never merely a moral but always also a political problem. Arendt’s account of evil, I have asserted, can and should be applied to the phenomenon of mass atrocities; for such an Arendtian lens can help us to see what really is at stake in mass atrocity cases: Not merely justice and not merely the human rights of individuals but nothing less than our common humanity.

It is also important to emphasise, though, what I have not done—and what I have not even tried to do—in this chapter: I have not proposed a canonical definition of evil under which acts of violence can be mechanically subsumed; and I have not developed a formula that relieves us of the burden of judgment in the particular case. I have refrained from doing so for the simple reason that I do not think that a canonical definition would allow us to address the fundamental theoretical and practical problems we face when we are confronted with violence that, undoubtedly, deserves our utmost condemnation. I have also not argued that mass atrocities are the epitome of evil—there are, no doubt, other expressions of evil in our contemporary world that require elucidation and confrontation. Rather, what I have tried to do, to say it again, is to construct a lens that allows us better to interpret and understand harmful acts of violence on a large scale. Viewed through this conceptual lens, the evil of mass atrocities appears as a genuinely universal and a genuinely political—or better, a moral-political—problem. Moreover, this lens allows us to do precisely what María Pía Lara (who borrows Jürgen Habermas’ phrase) sees as the most critical function of the ‘paradigm of evil’—namely, to ‘learn from catastrophe’. This lens of evil can serve as a medium to critically understand past atrocities, to create narratives around these phenomena and form a moral-political image of these events and, ultimately, to arrive at more refined (and reflective) judgements about mass atrocities (Lara 2007: 99–114). This, then, is the understanding of evil that forms the centrepiece of the mosaic that I have sketched out in the introductory chapter; and this understanding of evil is indeed, as I intend to demonstrate in the following chapters, a fruitful basis for confronting it.
Notes

1. Note that Augustine (as well as Thomas Aquinas, who was heavily inspired by Augustine) understood evil as the absence of good; evil, for them, is a privation without ‘reality’. While I do not subscribe to this view of evil as a privation, one of Augustine’s (and Aquinas’) more relevant insights was that human beings themselves—and not metaphysical forces—are responsible for evil; for a concise overview of Augustine’s and Aquinas’ thoughts on evil, see the selections in Larrimore (2000: 53–61 and 95–102).

2. A prominent example in this context is the work of Hans Morgenthau: in his (unjustly neglected) *Scientific Man vs. Power Politics* (1946) Morgenthau employs such an indiscriminate understanding of evil to develop the (tragic) argument that politics is, ultimately, the art of choosing the lesser evil. This idea of politics, of course, does not prevent him from arguing that the evil of genocide can never be a legitimate tool of foreign policy (1965). What we find in Morgenthau, therefore, is both the overly broad understanding of evil as *übel* and a more limited understanding of evil as *das Böse*, which, I think, leads to unnecessary confusion.

3. I refuse to even broach the question whether or not the Coronavirus (Covid-19) can be regarded as evil; I have also not come across any serious literature on this question.

4. A classical expression of the equation of evil and human suffering is Schlesinger (1964).

5. I borrow the terms ‘evil-sceptics’ and ‘evil-revivalists’ from Russell (2006).

6. Thus, I obviously disagree with Reinhold Niebuhr’s statement that ‘only within terms of the Christian faith can man…understand the reality of evil’ (1996: 18).

7. For a similar argument, see Singer (2004).

8. Of course, evil is, as I will argue below, not only a moral but also a political concept. I could but I do not employ this argument against evil-sceptics here, because I wish to engage in a more thorough discussion with this line of reasoning.

9. Another form of moralism, one that will become particularly important in the next chapter, is a disregard for the political dimensions of mass atrocity cases and for the ‘feasibility constraints’ in political life.

10. The terminology in the literature on relativism varies considerably. Thomas Risse, for instance, distinguishes between cultural and moral relativism (2012: 40–61); the former, he says is a descriptive, the latter a normative position. Nonetheless, we can see in his definition of moral relativism as ‘the idea that *fundamental* values and ethical beliefs are culture-bound in a sense that does not allow for critical engagement with people who do not belong to that culture’(2012: 40–41) how closely interlinked these two notions are. I do not think, therefore, that it is problematic to treat (as I do) cultural relativism as a form of moral relativism.
11. This distinction, of course, can only be drawn if evil is understood as ‘böse’.
12. I will discuss R2P in the next chapter; I will also come back to the point I just made in chapter 5.
13. For a similar argument, see Clendinnen (1999).
14. From the conception of evil I develop below, it should become clear that I have scant sympathy for Card’s and Kateb’s conceptions of evil.
15. It might well be, as Stephen Pinker (2012) argues, that violence in general is declining; this, however, changes nothing about the fact that evil (which is, as we have seen, not the same as ‘ordinary violence’) remains an ever-present possibility.
16. Patrick Hayden’s Political Evil in a Global Age (2009) is an important exception. However, the fundamental difference between Hayden’s book and this one is that while the former demonstrates how an Arendtian conception of evil helps us analyse a broad range of global political problems connected with globalisation, the latter applies an Arendtian conception of evil to one global political problem—mass atrocities—and seeks to demonstrate how concrete responses to mass atrocities can be reimagined and reframed by utilising this conception of evil. Other helpful interpretations of Arendt’s thought on evil on which I explicitly or implicitly draw in this section are Kateb (1984), Bernstein (2002: 205–224).
17. A narrow focus on the ‘banality of evil’ thesis is, for example, observable in Jeffery 2008, in many contributions to Haddock et al. (2011) and in Neiman (2015).
18. The best biography of Arendt’s life is Young-Bruehl (2004).
19. In some ways, Eichmann in Jerusalem, in which Arendt rejects Kant’s conception of radical evil and replaces it with the notion of the ‘banality of evil’, is a more explicit critique of Kant’s focus on inner maxims.
20. Both Margaret Canovan (1992: 7) and Richard Bernstein (2002: 213) stress the important links between Origins and The Human Condition.
21. A case in point is Renee Jeffery’s book Evil and International Relations. Jeffery—wrongly, I believe—thinks that ‘it was with her “banality of evil” thesis...that Arendt made her most significant impact on thought about evil’ (2008: 124). The consequence of this focus is that despite Arendt’s prominent role in Jeffery’s narrative, the subtitle of the book is Human Suffering in an Age of Terror—thus Jeffery relies on the traditional synonymy between evil and human suffering that Arendt actually sought to transcend.
22. This does not mean, however, that Arendt equated humanity with the individual human being; it also does not mean that Arendt equated evil with human rights violations. I will elaborate on this in the next section.
23. To be sure, Arendt uses the metaphor of the ‘spreading fungus’ in a slightly different context. But the insight that ‘evil spreads like a fungus’ is of crucial importance precisely because it demonstrates one of the central characteristics of evil in international political life.

24. This, of course, should not be taken as a strict and precise definition but, rather, as the necessary elements of phenomena that should be interpreted through the conceptual lens of evil.

25. While I rule out psychological violence as a form of evil, there are interesting questions concerning the relationship of structural violence and evil. Indeed, as Hayden (2009) demonstrates, structural violence can be just as evil as direct violence; nonetheless, this conception of evil is restricted to direct forms of violence that warrant international intervention under the banner of R2P or the ICC.

26. Arendt expresses this most explicitly, however, in *Thinking and Moral Considerations* (1971: 438): ‘The sad truth of the matter is that most evil is done by people who never made up their mind to be either good or bad’. The meaning of this sentence is clear: Even if people do not intend to do evil, they are still capable of doing evil.

27. We will encounter this argument again in the next chapter when discussing the concept of war crimes.

28. As Ulrich Beck and Edgar Grande (2010: 433) note: ‘what is required is… a political subject called “humanity”’.

29. I will elaborate the argument that humanity is ‘perpetually’ under threat in detail in Chapter 5.

30. So does, albeit from a rather different perspective, Raimond Gaita (2002).

31. For a more detailed discussion of Loidolt’s book, see Royer (2019).

32. In this chapter, I will continue to refer to this particular kind of evil as ‘radical evil’. In the following chapters, however, I will omit the qualification ‘radical’ and only use the word ‘evil’ for the same phenomenon.

33. This is one of the reasons why my reframing of R2P and the ICC in the following chapters puts so much emphasis on ‘moral-political judgement’.

34. This fact is unfortunate but inevitable; the person who finds this unacceptable should be reminded that many widely accepted concepts—genocide or (the legal concept of) crimes against humanity—contain such a large-scale element without specifying a precise number of victims.

35. To be clear, while I find Lara’s concept of ‘learning from catastrophe’ extremely useful, I certainly do not agree with all aspects of her ‘post-metaphysical conception of evil’. My most serious disagreement is with Lara’s exclusive moral understanding of evil—indeed, she asserts that ‘in the use I will give the term evil, we should distance ourselves from… political connotations’ (2007: 26). As I have repeatedly stated, however, evil is neither an exclusively *moral* nor an exclusively political *concept*; it is—at least in my and, I think, Arendt’s understanding—a *moral-political* concept.
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