

Abstract

The article explores how in *Modernity and the Holocaust* to his liquid turn writings Zygmunt Bauman's work assumes that people live in a deterministic world. Bauman fails to distinguish agency as an analytical category in its own right and as such fails to capture self-determination, agential control and moral responsibility. All of Bauman's work is based upon the assumption that the individual loses their autonomy and the ability to judge the moral content of their actions because of adiaphoric processes external to themselves as individuals giving rise to agentic state in which the individual is unable to exercise their agency. In contrast to the argument in *Modernity and the Holocaust* this article suggests that the Nazis developed a distinct communitarian ethical code rooted in self-control that encouraged individuals to overcome their personal feeling states, enabling them to engage in acts of cruelty to people defined as outside of the community. In his post-2000 work where the emphasis is on the process of liquefaction there is the same undervaluing of human agency in the face of external forces reflected in Bauman's concepts of ambivalence, fate and swarm.

Keywords: Bauman, agency, Holocaust, agentic state, adiaphoric

2014 marks twenty-five years since the publication of Zygmunt Bauman's most influential text *Modernity and the Holocaust*. The book established Bauman's reputation as a critic of modernity and as a major European social thinker. In this book agential self-control has no role to play in Bauman's explanation of the Holocaust and the undervaluing of human agency was to become a common theme in Bauman's later postmodern and liquid turn. In particular, Bauman undervalues the human agent's ability or power to choose and act otherwise and he does not acknowledge that an agent's reason-states play a role in the causation of their actions. The now familiar argument developed in *Modernity and the Holocaust* was that the Holocaust was a product of modernity and was not a

distinctly unique event, not a distinctly German event or mid-twentieth-century event. Bauman explored the idea that the Nazi state was the first example of a gardening state; a state that used its monopoly of violence to introduce effective engineering solutions to social problems, influenced by scientific management's emphasis on technical efficiency, division of labour and good design to shape and control society. In spite of this, in *Modernity and the Holocaust* and in Bauman's later work it is unclear how or if agency interpenetrates with the wider society or structure. Bauman's work fails to distinguish agency as an analytical category in its own right. Bauman assumes that people live in a deterministic world and he fails to capture self-determination, agential control and moral responsibility. These are the three key concepts that would allow us to come to some understanding of why any individual is capable of engaging in such acts of face-to-face cruelty as was witnessed in the Holocaust.

Agents in Bauman's (1989) analysis are pushed about by the processes of rationalisation that are both external to the individual and exercise a constraint. It is not the agent that determines what to do on the basis of their own reasons or moral responsibility; rather it is the processes of rationalisation that determine the individual's choices and actions. The absence of agency as an analytical category means that Bauman's account does not explain how or why the events of the Holocaust occurred when and where they did.

What is agency?

Is there an 'entity' such as consciousness that is distinct from the world of our experience? Is there something in relation to mind, self or agency which is separate from the structure of the world itself? In Bauman's analysis awareness, mindfulness and realisation as private entities appear to disappear, as do the attitudes and emotions that one would normally expect to find a person exhibiting in a situation where cruelty towards the other is observed. Agency becomes passive or disconnected from the ability to check the emotion and behave differently. The penetration of bureaucratic reason into every sphere of social life, including the consciousness of the individual human agent, was a key factor transforming 'the Jew' from a living, breathing, individual human being into a morally indifferent category; process that was facilitated by the emergence of an adiaphoric state. The adiaphoric state is a common explanatory mechanism in Bauman's analysis of solid modernity, including both Nazism and Stalinism, postmodernity and liquid modernity; it is the concept that Bauman draws upon to explain what it is that makes 'ethical considerations irrelevant to action' (Bauman 1999: 46). The agentic state is then the opposite of a state of individual autonomy and responsibility and was first defined and used by Stanley Milgram (1963) in his behavioural study of obedience. In terms of the Holocaust, the sociality of the face-to-face relationship was dispersed into a field of technological representation. Actions are said to become 'morally

adiaphoric' (Bauman 1993: 125) when authority for an action is removed from the agent's behaviour; Individuals do not have to face the moral content of their actions, what Bauman describes as a situation of 'floated responsibility' (1993: 126) or what Hannah Arendt described as the 'rule of nobody' (1993: 126). The adiaphoric state is rooted in a hatred of impurity. The processes of rationalisation impact directly upon the central nervous system, suspending moral agency to the degree that the moral content of an action is placed outside of the consciousness of the agent, in the same way that switching off the lights in a room makes us blind to the objects about us. Rationalisation simply enters the mind, brings about a set of behaviours and leaves without agency being affected by the contact or the experience.

In his liquid turn writings, where the connection between agency and structure is not bureaucratically driven but described in terms of a liquid metaphor the reader is invited to view the connection between agency and structure as simply the simultaneous appearance of certain physical particles in a liquid flow and a selection of conscious states, with the process of liquefaction being the conditions for the appearance of the conscious state; a passive conditioning of consciousness by an involuntary, automatous and unfeeling process of liquefaction, with no mind and no sense of reflection.

In *Postmodern Ethics* (1993) Bauman provides a philosophical underpinning of themes already discussed in *Modernity and the Holocaust*. In his work on postmodern ethics Bauman attempts to identify the nature of moral conduct in contemporary society. Bauman's approach has been described by Shilling and Mellor (1998) and Ignatow (2010) as *intuitionist* in nature and based upon assumptions that objective moral truths exist and are independent of human beings that cannot be defined by reference to anything except other moral truths. Moreover it is intuition found within the individual as a given innate moral impulse (Bauman 1989: 188) that allows the individual to identify these objective moral truths.

In contrast to conventional sociological opinion Bauman identifies cruelty with modernity and pre-societal social order with civilization and morality (Bauman, 1989: 177). By its nature modernity is hostile to difference/otherness (Bauman 1991: 104); this is what Bauman terms the 'heterophobia thesis'. Bauman argues modernity makes the Holocaust possible by neutralising the 'primeval moral drives' or innate moral impulse. However, within modernity an agentic state emerges and engulfs the individual human agent, generating moral irrelevance and dehumanisation of the other. For Bauman this process is a product of three interrelated strategies: the 'denial of proximity'; the 'effacement of face'; and the 'reduction to traits'.

Adiaphorisation is a product of the agentic state and includes stratagems for placing action outside of the moral-immoral axis; outside of moral evaluation and as such preventing the individual from exercising moral judgement in relation to those acts that individuals themselves have engaged in. In terms of

Christianity such adiaphoric acts are not understood by the agent as ‘sin’ and as such people can perform such acts free from stigma and moral conscience: ‘In classic “solid” modernity, bureaucracy was the principal workshop in which morally loaded acts were remoulded as adiaphoric’ (Bauman and Donskis 2013: 40). In liquid modernity this role of transforming morally loaded acts as adiaphoric has been taken over by the market.

In *In Search of Politics* (1999) Bauman views the adiaphorisation process as the imposition of an ‘alien will’ onto the individual human agent. The individual may attempt to deceive the alien or rebel against the alien but:

The fact remains that in all such cases the agents are *not autonomous*; they do not compose the rules which govern their behaviour nor do they set the range of alternatives they are likely to scan and ponder when making their big or small choices. (Bauman 1999: 79, original emphasis)

Bauman explains: ‘The more rational is the organization of action, the easier it is to cause suffering – and remain at peace with oneself’ (Bauman 1989: 155). The central argument developed in *Postmodern Ethics* was to provide an alternative to the bureaucratic morality that is found within organisations. Bauman (1993: 13–14) draws upon Levinas to support his argument that within each individual there is an innate moral impulse which is not connected or a product of any distinct social and historical formation.

In *Moral Blindness: the Loss of Sensitivity in Liquid Modernity* by Bauman and Donskis (2013), Bauman returns to his account of the adiaphorising effects of social processes that encourage moral irrelevance and dehumanisation of the other. Bauman argues that we seem to be living through a period of interregnum; a period in the old system does not work and there does not seem to be a viable alternative currently available (Bauman and Donskis 2013: 83).

The liquid modern variety of adiaphorization is cut after the pattern of the consumer-commodity relation, and its effectiveness relies on the transplantation of that pattern to inter-human relations. (Bauman and Donskis 2013: 15)

Bauman ends up presenting a contradictory image of the individual who is on the one hand endowed with a moral impulse and on the other prevented from acting upon this impulse because of the adiaphorising effects of external social processes which prevent the individual from viewing their own actions as cruel or immoral and such adiaphorising effects are assumed to exist in all forms of solid and liquid modernity.

Agency is commonly understood as something which underpins purposive individual action. Human agency is the capability or faculty that human beings possess that enables them to make choices and act otherwise rather than to act on the basis of deterministic processes or causal chains. There will always be a moral component to agency as the decision to act in one way rather than another will involve the person drawing upon internalised value judgements and reflecting on the expected and unforeseen consequences of the actions they

have taken. Agency is exercised through practice, used in the social world and formed by social relationships and institutions. However, many theories tend to focus solely on agency as decision-making and ignore the person's capacity to make choices and the mechanisms that constitute an individual's ability to make such choices. Where are the boundaries of agency to be found?

Frances Cleaver (2007) identifies several factors that both limit and facilitate human agency: cosmologies, identities, unequal incomes, structure and voice, embodiment and emotionality. Identities are important for exercising agency because agency is exercised in relation to the perception of the self by others; hence age, gender, race and disability status can all impact on the individual's ability to exercise agency.

According to Hewson (2010) there are three main types of agency:

- Individual agency, which involves individuals making decisions and acting on the basis of the decisions that they have made.
- Proxy agency: one agent acting on behalf of another such as an employee acting on behalf of their employers; however this is not to suggest that proxy agents cannot act on their own behalf if they feel there is a divergence between the principal and agent.
- Collective agency, where individual agents choose to work together with a level of coherence, by for example pooling resources or choosing to work as a team; examples of collective agencies include states, classes and social movements.

Hewson (2010) also suggests that there are three main abilities that human beings possess that give rise to agency; firstly although some actions can be described as action can be aimless, accidental, or unconscious human agents have intentionality, in that humans have the ability to act in a manner that is purposeful in that they perform actions that are deliberate with intended outcomes. Secondly, power is an aspect of agency in that all human beings have capabilities and access to resources that allow them to achieve their goals. Although Hewson (2010) acknowledges that because power is not equally distributed in society some have greater opportunity to exercise their agency than others. Thirdly, rationality is component to agency; human beings reflect on how it is possible to achieve their goals and draw upon their intelligence to guide their actions. Individuals also have the ability to evaluate the real and possible consequences of their actions.

Mustafa Emirbayer and Ann Mische (1998) describe their approach to agency as 'relational pragmatics' and attempt to break down the concept of agency into its component parts and view agency as the ability of individual people to critically develop their own responsiveness to challenging circumstances. Emirbayer and Mische are attempting to overcome what they see as the one-sidedness of approaches that focus on either agency or on structure which is typical of much of the literature on agency. Emirbayer and Mische's

conceptualisation of agency is described by them as the ‘chordal triad’ in that they make a distinction between three dimensions or elements:

- 1 The iterational element, which refers to: ‘the selective reactivation by actors of past patterns of thought and action, routinely incorporated in practical activity, thereby giving stability and order to social universes and helping to sustain identities, interactions, and institutions over time’ (Emirbayer and Mische 1998: 971).
- 2 The projective element, which encompasses: ‘the imaginative generation by actors of possible future trajectories of action, in which received structures of thought and action may be creatively reconfigured in relation to actors’ hopes, fears, and desires for the future’ (1998: 971).
- 3 The practical-evaluative element, which entails: ‘the capacity of actors to make practical and normative judgements among alternative possible trajectories of action, in response to the emerging demands, dilemmas, and ambiguities of presently evolving situations’ (1998: 971).

In summary, the iterational element is linked to the past; the projective to the future, the practical-evaluative is related to the present. Emirbayer and Mische argue that as ‘actors move within and among these different and unfolding contexts, they switch between (or ‘recompose’) their temporal orientations – and thus are capable of changing their relationship to structure’ (1998: 964). The ‘chordal triad’ leads Emirbayer and Mische to the suggestion that the ‘key to grasping the dynamic possibilities of human agency is to view it as composed of variable and changing orientations within the flow of time’ (1998: 964). They argue that the threefold distinction makes it possible to identify: ‘how the structural environments of action are both dynamically sustained by and also altered through human agency – by actors capable of formulating projects for the future and realizing them, even if only in small part, and with unforeseen outcomes, in the present’ (1998: 964).

In contrast, Bauman’s social determinist approach takes the form of a reverse of Husserl’s ‘transcendental reduction’ in which he mentally puts into brackets assumptions of argentic self-control to get a fuller picture of the deterministic processes that shape the social world. Culture, values and beliefs are ‘internalised’ so that self-control becomes an aspect of wider social control. It is tempting to look at later developments in our understanding of a more active and creative agency that emerged after the publication of *Modernity and the Holocaust*, notably following the work of Pierre Bourdieu and Anthony Giddens. However, Bauman’s sympathetic reader could legitimately respond by suggesting that Bauman should not be criticised for his inability to anticipate and incorporate later developments in our understanding of agency and structure into his analysis. However, there were accounts available to sociologists at the time that examined the active role of human agency in the propagation and

maintenance of social formations that Bauman was aware of. As a critic of Talcott Parsons, Bauman would have had knowledge of the work of George Herbert Mead. In particular Mead's understanding of a self-encompassed agency that had the ability to act in ways other than on the basis of internalised forms of social control. Any convincing account of the adiaphorising effects of external social processes needs to give a full and clear account of how a self-encompassed agency was pacified and prevented from exercising.

In 'Evolution becomes a general idea' (1936) Mead states his position in relation to Kant. For Mead, Kant conceived of the basic forms or categories of the world as given in the character of the mind itself and as such these categories exist in advance of experience. Without these basic forms or categories of the world there could be no meaning of reality. In contrast Mead took his starting point from the Romantic idealist stance that categories emerge from experience. Rather than making judgements about the meaning of the world on the basis of categories that exist in the mind in advance of experience; it is experience that brings these categories into existence. Experience creates its own forms.

Mead viewed social structures as less organised than other social scientists at the time. Social structures were assumed to a 'negotiated order' in that they have no single goal, no agreed consensus but derive their goals from the diverse aims and objectives of the human agents through a process of negotiation. The individual was not passive or a reflection of a wider set of values and beliefs.

The Romantic writers' view that human agency had an active role to play in the shaping of the environment had a significant influence upon Mead. Mead focused upon social action; and self-reflexivity or action towards the self. Self-reflexivity is dependent upon language which people acquire from early childhood as a result of their participation in groups. Human perception is viewed by Mead as an activity in which people respond to stimuli selectively and symbolically with reference to self. We understand the actions of others through language and gestures. 'Significant gestures' or 'significant symbols' are ones that we are self-conscious about because we assume that they have meaning for the other and shape the ways in which the other relates to us. When acting in everyday life we take each other's perspectives and interpretations of actions and this allows us to assess an action in communal terms.

A central aspect of agency for Mead is the ability to step outside of one's self to view ourselves as others see us. This is what underpins Mead's well-known conception of 'the generalised other'. As is also well known, Mead makes a distinction between the 'I' and the 'Me' as two sides of the self. The 'I' is the impulsive aspect of self that contains our novelty and creativity, while the 'Me' is the social side of the self that controls and limits behaviour. Mead explained: 'you cannot have a subject without an object ... you cannot have a consciousness of things unless there are things there of which to be conscious. You cannot have bare consciousness which is not consciousness of something. Our experience of the self is one which is an experience of a world, of an object. The subject does

involve the object in order that we may have consciousness ... the assumption that the very existence of an object, as such, involves the existence of a subject to which it is an object' (Mead 1936: 16–17).

In addressing the same question that we are asking about Bauman's work: Does consciousness exist? Mead assumes that there is an 'entity' such as consciousness that is distinct from the world of our experience. Moreover, consciousness is something which is separate from the structure of the world itself, although Mead accepts that the term consciousness is an ambiguous one. Consciousness involves a relationship between agency and the world of objects that the agent shares within an environment. Mead presents a theory of knowledge as agreement based upon the cooperative conduct of thinking individuals. Unless a person is choosing to play the role of critic, individuals draw upon the attitude of the other in order to make sense of their own experience. Consciousness is viewed by Mead as a field or inner forum, a personal space that allows us to engage in self-reflection, in which the individual is the only actor and the only spectator; a place in which we ask questions and search for answers.

One of the arguments that Bauman develops in relation to agency in *Modernity and the Holocaust* is a rejection of the 'monster hypothesis', the idea that the Holocaust was the product of the actions of sadists or people with evil intentions. Rather, for Bauman, moral standards came second to the technical success of the bureaucracy; and genocide is viewed by Bauman as neither abnormal nor a malfunction of modernity: 'The Holocaust did not just, mysteriously, avoid clash with the social norms and institutions of modernity. Without modern civilization and its most central essential achievements, there would be no Holocaust' (Bauman 1989: 87).

What is more, argues Bauman, the story of the Holocaust could be made into a textbook of scientific management (1989: 150): 'none of the societal conditions that made Auschwitz possible has truly disappeared, and no effective measures have been undertaken to prevent such possibilities and principles from generating Auschwitz-like catastrophes' (1989: 11). 'Modern civilization was not the Holocaust's sufficient condition; it was however, most certainly its necessary condition' (1989: 13).

Unlike Mead's reflexive self in Bauman's analysis individuals in the agentic state accept any order that they are given as they no longer feel responsibility for the consequences of the actions taken. A form of 'procedural reductionism' is generated within the agentic state by the over-emphasis of organisational discipline over independent moral judgement; in the agentic state individuals are: 'denied moral capacity and the ability to put freedom, if granted, to an acceptable use'; they are "classified out" of moral self-sufficiency and self-management' (Bauman 1993: 120). At best we can say that it is unclear how the 'procedural reductionism' of organisational culture or discipline can prevent an individual from exercising their independent moral judgement.

As such Bauman's argument undervalues the moral enormity of the Holocaust and the total collapse of humanistic values that underpinned the Holocaust as the worst moral disaster in human history. Bauman gives a description of people's actions in terms of digging coal, driving trains, etc. but he does not investigate the individual lives and experience of Germans or Jews; there is no investigation of victim or perpetrator testimony, biography or autobiography. There is no account in their own words of what people did, why they did it, their feeling states, motivations, complex reflections, and choices made. Bernhard Loesener, for example, was a bureaucrat and Nazi perpetrator who was regarded as a 'Jewish expert' in the Nazi Interior Ministry for ten years. Loesener had the important role of drafting the Nuremberg Laws (1935) and later discriminatory legislation which stripped Germany's Jews of their citizenship rights that was the corner stone of the Nazi legislative assault upon the position of Jewish people in German society. However, in his autobiography Loesener claims to have drafted the Nuremberg Laws in such a way that legally defined what constituted a Jew in as limited a way as possible. As such Loesener argues that he spared large numbers of Jewish people from the worst excesses of what the Nazis were attempting to do. Loesener claims that he was responsible for the Nazi hierarchy accepting the concept of 'half Jews', people with two Jewish grandparents, to be labelled as *Mischlinge* (or people of mixed race); such people did not have full citizenship rights but were not labelled as 'full Jews'. The so-called Brown House planners such as Achim Gercke, the Nazi Party's genealogical expert who in 1932 had drafted a policy proposal with the title 'Should German-Jewish Bastards Be Given Reich Citizenship?' and had argued that people with 'one drop of Jewish blood' should be cast as Jews. There were similar debates and compromise leading up to the September 1941 decree that all Jews in public places had to wear an identifying Jewish star. Loesener claims that he was central in introducing the 'privileged marriage' clause into the legal framework. In a number of circumstances a marriage qualified as 'privileged' if a German spouse married a Jewish partner. Loesener claims that 100,000 Jewish people were spared deportation to Auschwitz or the other death camps because of their 'privileged marriage' status.

In November 1944 Loesener left the Interior Ministry after he found out about the mass murder of Jews in Auschwitz and the other death camps, he was expelled from the Nazi Party and arrested by the Gestapo for giving refuge to Captain Ludwig Genre, an intelligence officer who was involved in an assassination plot against Hitler in August 1944:

Nothing could be further from my mind than to excuse or gloss over these laws. I regarded them as an outrage every minute of the two days it took to draft them. But for the historical record they need to be understood correctly, and this demands a closer look at the status of the 'Jewish Question' in the third year of the dictatorship. (Loesener cited in Schleunes 2001: 52)

Whether you choose to accept or reject Bernhard Loesener's account of his time at the Interior Ministry, one thing is clear – he was not engulfed within an agentic state and he did not judge the moral quality of his actions solely in terms of achieving bureaucratic objectives. According to Karl Schleunes (2001) Loesener's autobiography is one of the most important surviving documents on the inner workings of the National Socialist regime of terror. Even critics of Loesener's claims such as Cornelia Essner in her 1999 habilitation thesis, 'The system of the "Nuremberg Laws" (1933–1945)' concludes that the value of his autobiography for the researcher should not be underestimated and Saul Friedlander (1997) concludes that there was no reason for Loesener to present a false picture of his actions or intentions.

There is no account in Bauman of the motives and intentions of people such as Bernard Loesener, his ability to conceive of the world otherwise in relation to the emergence of new demands or circumstances and to act accordingly. Bauman cannot explain how or why people chose to act otherwise. How does a person come to reflect on their life and the conditions that they find themselves in? How could a person in an agentic state choose to act otherwise as Loesener chose to do? Loesener attempted to do something that Bauman's agency could not do but something that Mead's self could; attempt to manipulate or change the circumstances in which he found himself.

Bauman simply assumes rather than explains how the process of rationalisation underpinning modernity undermines morality. There is no reason to accept the agentic state assumption that is central to Bauman's argument. We might want to argue, as did Weber, that our understanding of the world and how it works with modernity is diminished by the process of rationalisation, but there is no reason to suggest that our morality is similarly diminished. I know how to use the mobile phone, the internet and the HD television, I can make these devices do the things I want them to do but have only limited understanding of how the technology works; however there is no reason to suggest this rationalisation process causes damage to my moral compass.

The Nazi ethical code

In contrast to Bauman's view, within Holocaust scholarship there is an argument that rather than perpetrators being engulfed within an adiaphoretic state, the suggestion is that perpetrators were conditioned into a distinct Nazi moral code rooted within a Nazi *Weltanschauung*. The Nazis' ethical code was communitarian in orientation, in which the communitarian ethic was used to build a racially defined conception of community. This ethical code helped to shape the relationship between the individual and the community by providing guidance on practice. People remained responsible for their own actions and behaviours and their actions were considered to be ethical if they benefited the community by serving a common purpose. A critique of humanitarian ethics

that stressed universal human rights were the ethics that underpinned the Diktat of Versailles and it was assumed that humanitarian liberal values had prevented German people from celebrating their German identity and discriminated against the German people by the imposition of blame for starting the war and the imposition of excessive reparations. As Jewish people were not part of the community and as such were exempt from ethical consideration. Nazi ethics was a morality of self-control; if the individual could overcome their personal feeling states, for example feelings of regret or remorse for engaging in acts of direct or indirect cruelty to people defined as outside of the community, this could be viewed as a form of personal sacrifice for the benefit of the community. The Nazi ethical code has much in common with Bauman's conception of Mixophobia. Although for Bauman Mixophobia is based upon a 'drive' against difference and impurity within modernity rather than shared values in relation to a 'community of similarity'; the concept describes a need for similarity and sameness or 'we' feeling in relation to common bonds and common experience. The values contained within the code stressed that the true worth of an individual was measured in terms of their contribution to the community and what the individual did in terms of their contribution to the maintenance of the society. At best Jews added nothing of value to the community, at worst they were a threat; people whose actions were responsible for the collapse of the home front in 1918 that led to the German surrender. Even those people who did not accept the Nazi ethic, or changed their mind such as Bernhard Loesener were left in no doubt about which side of the conflict they were on. It is this refusal to engage with research into a distinct Nazi moral code rooted within a Nazi *Weltanschauung* that makes the events of the Holocaust remain incomprehensible for Bauman. In particular the lack of engagement with this scholarship means that Bauman can only explain the Holocaust from the perspective of the bureaucratic 'desk killer' such as Eichmann, who killed from a great distance and not from the perspective of the 'ordinary men' of the police battalions who killed unarmed Jewish men, women and children often face-to-face and often appearing to derive great pleasure from inflicting extraordinary pain, humiliation and unnecessary cruelty such as beard burning and the use of leather whips. Bauman attempts to explain why the perpetrators failed to recognise that what they were doing was evil by drawing upon the work of Stanley Miligram and Philip Zimbardo. What Bauman takes from their work is the suggestion that situational factors made people give up their moral responsibility and moral agency and behave in ways that brought about genocide. However, following a rule is still the act of human agency and requires interpretation and moral evaluation.

From his analysis of actually existing socialism in Poland, to his attempt to describe socialism as an active utopia, sociology of post modernity and finally to his liquid turn writings there has been an underpinning common thread of determinism in Bauman's work. Social action is always the product of general causal forces that are similar to processes in nature, such as liquefaction. In his

post-2000 work for example, where liquefaction is present given behaviours follow; with common themes in Bauman's work such as ambivalence, fate and swarm. Although the source of ambivalence for Bauman is always located outside the agent, such ambivalence potentially threatens agency, by paralysing the agent's self-control and strength of character, to the degree that the individual agent is unable to decide how to act or if to act at all. This form of ambivalence threatens the agent's capacity to make free and independent decisions about themselves. As Tony Blackshaw explains:

ambivalence is the creature of modernity, and people's lives today more than any time in the past are governed by the contingency of events. If not going as far as saying that the 'liquid' modernity we today inhabit is a world where 'anything goes', Bauman reminds us that we share a 'lighter, diffuse and more mobile' sociality where there is no one set of constraints, no definitive set of rules. A liquid modernity in which people's lives are indelibly stamped with ambivalence. (Blackshaw 2005: x)

Bauman also explores the concept of 'fate' in a range of books: 'something we can do little about, even though it is, at least in part, a summary past human choices and character' (Bauman 2012: 25). Solidarity with liquid modernity is understood by Bauman with reference to the related concept of the swarm: 'a massively copied style of individual behaviour' (Bauman 2002: 7). The swarm replaces the group and is a conceptual device that Bauman uses to explain the process of social reproduction within liquid modernity. In a similar fashion to Gustave Le Bon's argument in *The Crowd*, swarms are aggregates that emerge from the interaction of individuals at a 'collective moment' providing a mental unity, driving people to follow a collective direction. Swarms are composed of occasion-bound units of individuals who: 'assemble, disperse and gather again, from one occasion to another, each time guided by different, invariably shifting relevancies, and attracted by changing and moving targets' (Bauman 2007: 76). In *Modernity and the Holocaust*, the process of rationalisation could not be avoided by people as the events of the Holocaust unfolded; people had to think and act in a given way as rationalisation was both unstoppable and irreversible.

In *Modernity and the Holocaust* and in his later work Bauman neither understands nor attempts to explain the actions of individual people in terms of their agentic causes and as such he does not explore how individuals engage agentically within their structuring context. Bauman's understanding of the individual is curiously impersonal in that what a person knows is not personal to them but widely known and with intentions to action formed externally from the self. My actions as an individual appear to have little or no connection with me as an individual. My mind has no role to play in my perception. Bauman argues that what is typical of modernity is the existence of a gulf between the right of self-assertion and the capacity of the individual to exercise control over the social settings in which they find themselves. People do not make choices, because the social context prevents self-assertion and individuals

become victims of fate. The gap between self and context cannot be spanned by individual effort alone as individuals do not have the capacity to influence the context in which they find themselves.

In contrast, taking our starting point from a theorist such as Mead we could argue that agents always have knowledge of the ideas that they have inside their heads; they have to classify a thing as one thing or another by what it has in common with other similar objects in a category. We also have knowledge of ourselves, in the same way that we can look at our body as an object and make a decision if something is not right and if we need medical attention. So it is also the case with our intentions in relation to action and moral responsibility. As individuals with agency we have the ability to reflect on what we do and how and why we do what we do. In the last analysis, individuals have agency even in the most challenging of circumstances and as such always have the opportunity to exercise their intelligence and reason. Perpetrators had to identify individual characteristics present in a unique individual human being and decide if that unique individual should be classed as belonging to a wider category of asocials; Jew, homosexual, promiscuous woman, alcoholic, Communist. Once a person has been categorised as asocial a decision has to be made on the appropriate level of cruelty and humiliation. Social action is not possible without this reflexive capability. Bauman does not acknowledge the individuality or uniqueness of the individual. Such cruelty is both purposeful and creative and it is not based upon a rational cost/benefit analysis or guided by bureaucratic process alone. Even the most taken for granted habitual activities require the person to focus their attention on the action and to choose what they consider to be the appropriate way of behaving. All deaths in the Holocaust were unique, because all individuals were unique and each individual had a very different life history. What they did have in common was death at the hands of the same perpetrators.

Bauman's argument in relation to agency is unconvincing and problematic in many respects; not least because he assumes that the events that constituted the Holocaust were not determined by the agent's own wishes, ideas or values but were determined by events and circumstances that were external to the individual who carried out the actions; the inhuman actions did not originate within the person who committed those actions and as such the agent is not the origin or source of their own actions. However, human agents always have the ability to act otherwise. Agents govern themselves, they have reason, know what they are doing, and they have responsibility over what they are doing. As Markus Ernst Schlosser points out: 'the agent exercises control over an action simply by virtue of performing it' (2008: 15).

Not all the deaths during the Holocaust were carried out at a distance in a bureaucratic manner; there was a significant degree of cruelty and torture involved in the mass killings caused by exhaustion of slave labour, disease, starvation, suppression of resistance and mass shootings which had more in

common with pre-modern genocides rather than an efficient bureaucratic genocide. Snyder (2010) for example maintains that almost half of the Jews killed by the Nazis died from gunfire over pits; in addition death by starvation was also common. Both these forms of murder took place outside of the concentration camp system. Snyder provides a description of the events at Lutsk on 21 August 1942 in which he explains how

The Germans ate and drank and laughed, forced the women to recite: ‘Because I am a Jew I have no right to live’. Then the women were forced, five at a time, to undress and kneel naked over the pits. The next group then had to lie naked over the first layer of corpses, and were shot. (Snyder 2010: 223)

Christopher Browning’s account of Police Battalion 101 also details examples of cruelty and inhuman behaviours by the Order Police that went much further than the orders that they were given; at Bialystok on 27 June 1941 the Order Police participated in actions such as beating with leather whips and beard burning, Browning describes the events that followed in the following terms:

When several Jewish leaders appeared at the headquarters of the 221st Security Division of General Pflugbeil and knelt at his feet, begging for army protection, one member of Police Battalion 309 unzipped his fly and urinated on them while the general turned his back. ... These men were not desk murderers who could take refuge in distance, routine, and bureaucratic euphemisms that veiled the reality of mass murder. These men saw their victims face to face. (Browning 1992: 37)

In his personal reflections on his wartime experiences as a gay Jew living in wartime Berlin, Gad Beck (1999) discusses the case of his friend Paul Dreyer who was arrested in January 1945 and convicted for ‘aiding and abetting Jews’ and ‘treason’. During his interrogation he was beaten into admitting to the Gestapo that he was gay. Beck describes what happened:

The poor idiot exposed himself as gay, in hopes that that might help him. Instead it brought him additional battering. I saw him again a few months after the liberation ... he looked absolutely terrible and told me what had happened to him in prison. They had set two specially trained dogs on him – specialists in testicles and ears. He lost those body parts entirely; there wasn’t the slightest trace of outer ear to be seen, and he was virtually deaf. As concerns the other body part, he said all that was left was a hole for peeing. (Beck 1999: 148)

How did the Nazis come to believe in their anti-Semitic ideas?

Bauman does not investigate how the Nazis managed the Holocaust by avoiding a clash with the social norms and institutions of the day; it is simply not enough for Bauman to say that the situation came about ‘mysteriously’ (Bauman 1989: 87). According to Gellately (2001) in March 1933, less than eight weeks after becoming Chancellor, Hitler called for a ‘moral purification’ of German politics restoring social values, social harmony and order by attempting to create a racially based ‘community of the people’. For the Nazis the German people

had lost their values and sense of community in the Weimar years. The Weimar Republic was characterised by the Nazis as a place where crime, drugs and organised criminal gangs were rife. Pornography, gay and lesbian lifestyles became acceptable within urban areas, particularly Berlin, and a new distinctly un-German culture was emerging in avant-garde forms of artistic work in music, performing arts and painting. The Nazis also identified ‘asocials’ such as Communists and others who were ‘politically criminal’, rapists, habitual criminals, repeat sex offenders, homosexuals, beggars, vagrants, the unemployed, prostitutes, alcoholics and drug addicts as threats to the community and gave the police force powers to remove these people into the protective custody of the military-style concentration camps for rehabilitation and re-education. As Germany prepared for war the camps grew in size and increasing numbers of Jews were incarcerated on grounds of ‘race defilement’.

The official ban on sexual and friendly relations between German and Polish workers; the ‘radio measures’ which made listening to overseas radio broadcasts an offence and the vague but often used offence of ‘undermining the will to win’ were maintained by ‘police justice’ in which the decision to execute or send accused individuals to a concentration camp was taken by the Gestapo. These actions were taken without reference to the courts and had no basis in law. The Gestapo would also on occasion ‘correct’ a court decision and place an individual in the ‘protective custody’ of a concentration camp.

In August 1941 Hitler decided to end the killing of people who had ‘lives unworthy of living’ such as the killing of ‘handicapped’ children and mentally ill adults who were incapable of working. Public opinion surveys on such ‘mercy killings’ demonstrate that such actions did not have the full support of the population. This example suggests that the population did not accept the actions of the Nazis without question and the Nazis did not continue with actions if they were assumed to lack community support.

For the Nazis the rights of the individual came second to the protection of the community and legal rights were only given to individuals who were identified as useful members of the community. This communitarian stance devalued the private sphere of a person’s individuality. From 1934 onwards the Propaganda Ministry instructed the press to report on death sentences and exclusions to concentration camps in such a way that it would: “awaken in the impartial reader the feeling for the necessity and internal justification” for such actions’ (Hauptstaatsarchiv Dusseldorf 18/d3, 19 cited in Gellately 2001: 49). The role of Nazi propaganda was not to *brainwash* people but to provide recognition of a spiritual quality in the attitudes and behaviours of other Germans and at the same time provide a vision of what one should recognise in oneself, helping to strengthen and intensify co-operative social relationships and enhancing the ability to recognise oneself in the many as the basis of sociality and community. It is this communitarian aspect of the ethical code that allows us to view the Holocaust as more than the aggregation of individual actions. In the same way

that front line soldiers were asked to take the life of strangers, Germans at home were asked to share the burden with soldiers in the field by engaging in viewing Jews and others as not part of the community and putting aside their personal feelings in relation to observing harsh treatment against them for the good of the wider community.

The Nazis promised a return to pre-Weimar culture and this stance was popular amongst many German people. To gauge the degree of popularity Gellately points to the elections and plebiscites that the Nazis conducted, such as the national plebiscites to withdraw from the League of Nations and unite the post of Head of State with the Head of Government both of which were given the support of over 90 per cent of the German people. The 'Day of the Police' was introduced by the Nazis in 1934 as an opportunity for German people to celebrate the role of the police in maintaining public safety; such celebrations were also widely accepted and enjoyed.

An approach that places an emphasis on a Nazi ethical code also provides some idea of the connection between old and new anti-Semitism that did exist and captures this connection historically and at least partly explains something that Bauman cannot explain: how anti-Semitism was transformed into genocide., rather than accepting Bauman's argument which is based upon affinity between perpetrator and victim, which is likely to blur the distinction between the victims and the murderers as both were victims of the rationalising processes of modernity. What is important is the division between perpetrator and victim and the ethical code that unites the perpetrators against the victim.

David Deutsch (2012) asks the question: How did the Nazis justify and explain the mass killings they perpetrated? Like Bauman, Deutsch points to dehumanisation as a factor that enabled Nazi perpetrators to remain unmoved by the fate of the victims. Because the Jews and other victims were regarded as not human, their suffering did not matter. However, unlike Bauman, Deutsch asks, how do we explain the emergence of this dehumanisation and the subsequent cognitive transformation undergone by the persecutors; as Deutsch points out: 'Dehumanization was no mere metaphor under the Nazi regime; it was a living reality' (2012: 10).

Deutsch argues that the Nazis claimed to have an inner understanding of the demonic and secretive Jewish essence from within. Giving this contention a level of credibility in their rhetoric and propaganda provided the starting point for Nazi persecution.

In interpreting the Holocaust Alon Confino (2005) takes his starting point from research that focuses on the experience of Germans and Jews, notably Omer Bartov's research on the German army, Christopher Browning's *Ordinary Men* and Saul Friedländer's *Nazi Germany and the Jews*, to argue that academics must come to terms with the way in which the Nazis manipulated culture, how they came to generate such outrageous fantasies based upon a racial ideology

about Jewish people and how German society came to believe and internalise such ideologically motivated fantasies:

It is common to assert that one of Nazism's main characteristics is that it emerged from the structures of modern industrial society. It is true, but I wonder whether it says more about historians' difficulty in interpreting Nazism than about Nazism itself. As a historical occurrence that happened in twentieth-century Germany and Europe, what alternative did Nazism have but to be modern, industrial and scientific? The modern, industrial, scientific characteristics were the symptom of their age, not the meaning of Nazism. They should not be viewed as the quintessential causes of the regime. The goal was to build a racial civilization at the centre of which was the fight against the Jews (1933–41) and ultimately their total elimination (1941–45). (Confino 2005: 312)

Peter Haas (1988) for example argues that the people responsible for the Holocaust were not only ordinary people but more typically, 'idealists' guided by a coherent and comprehensive ethical code that emerged from a Nazi *Weltanschauung*:

The Holocaust is not the result of absolute evil but of an ethic that conceives of good and evil in different terms . . . That is why the horrors of Auschwitz could be carried on by otherwise good, solid, caring human beings. (Haas 1988: 179)

Similarly, drawing upon Hans Hefelmann's testimony at the Hadamar Trial in Frankfurt in 1964, Larry Ray casts doubt on the validity of the agentic state. Perpetrators were fully aware of the consequences of their actions and were fully supportive of the Nazi project, argues Ray, going on to quote Hefelmann as saying: 'I have never been in doubt that legally and in matters of humanity I acted correctly' (Ray 2011: 182).

More recently Wolfgang Bialas (2013, 2014) has investigated the rationale of what he considers to be a coherent system of Nazi ethics which was composed of convictions, values and ideas that guided behaviour and clearly identified actions as moral or immoral. Bialas draws upon a wide range of sources (Fritzsche 2009; Gellately 2002; Hilberg 1992, Johnson 2002, Kershaw 2009, Klee *et al.* 1996, Littell 2009, Peukert 1989; and Pollefeyt 1999) to support his argument that this moral conditioning into a system of beliefs helped individuals to develop a conscious moral construct which rejected a universal ethics of humanism for an 'ethnic conscience' which limited an individual's moral obligations to members of their own race, viewing others such as Jews as a potential threat to the community. Robert Gellately (2002), Eric Johnson (2006) and Peter Fritzsche (2009) in particular maintain that the Third Reich depended more on consent than it did on coercion. Rather than pointing to an agentic state, Bialas suggests that many Germans shared a Nazi ideology; that valued racial belonging over personal interests or feeling states. People developed a clear moral orientation which allowed them to treat some people as not morally human. Allowing perpetrators to view what they were doing was

morally innocuous, with humiliation, persecution and in the last analysis killing of ‘the Jews’ was the right thing:

Racial biological naturalism declared humans to be vehicles of higher principles and reduced them to members of a race either doomed to destruction (if they happened to be Jews), or destined to rule the world (if they were members of the Nordic race, like the Germans). (Bialas 2013: 4)

The Nazis were committed to the holiness and inviolability of the Aryan human life but other races were given an inferior status, or in the case of the Jews, the status of enemies of the people. A universal ethics of humanism would lead to racial degeneration; in developing his argument Bialas draws upon Didier Pollefeyt’s understanding of a Nazi ethic:

The Nazis knew what they were doing, they found these facts morally acceptable, and they acted consciously and creatively in accord with this new moral sense. The Germans were not suddenly deprived of their capacity to distinguish good from evil. They did not act out of purely immoral desires or out of moral insensitivity, but precisely because they were ethically sensitive. Nazism was sustained by a very strict, almost puritanical, ethical code. (Pollefeyt 1999: 229)

Conclusion

Is an elaborate theory of agency needed to explain the ‘hows’ and ‘whys’ of the Holocaust? Bureaucratic organisations are regarded by many as the most efficient form of organisation. Organisations can be directed to manufacture cars, produce hamburgers or commit genocide and will do so in the most efficient manner possible. However, we should never lose sight of the uniqueness of an individual and their ability to make choices. Bureaucratic organisations in themselves lack both direction and agency; organisations have to be provided by people with goals, objectives and resources. Agent reason states are causal mechanisms in terms of bureaucratic action; people have to engage in decision making before making use of the bureaucratic organisation as a tool to achieve their objectives. Bauman may provide an informed outline of some aspects of the context in which the Holocaust took place. He gives a reasoned account of how the ‘desk killers’ were freed from the physical proximity of their victims and as such could avoid some of the moral content of their actions. However, not all the individuals killed died within the context of rational bureaucratic systems and even those who did came face-to-face with their killers.

For Bauman perpetrators were engulfed in an agentic state, they experienced adiaphoria, they lost the ability to reflect upon the moral content of their own actions and chose to view such actions as the achievement of bureaucratic goals. However, if the Holocaust was a product of processes of rationalisation found in all modern societies and not a consequence of modernity going wrong or a product of agency, then Bauman needs to explain why at the end of the Second World War the Allies did not continue with the extermination process. The

bureaucracy was in place, as were the transport links and rest of the necessary infrastructure for mass genocide. The answer is that the Allies had no political will to engage in what had become by the end of the war a process of factory killing.

An effective understanding of the Holocaust needs to engage in a discussion of what distinguishes better from worse in agentic processes. There also needs to be an understanding of how and why the Nazi ideological reconstruction of the social world in Germany and many of the occupied territories was so successful. Finally there needs to be an understanding of the emergence of a distinct Nazi ethics that allowed people to judge their actions as right and just. In particular there needed to be an account of the communitarian aspect of the Nazi ethic; how personal feelings of the individual human agent that might come into conflict with the perceived needs of the community were subordinated for the good of the people. Such ‘moral’ actions were not subjected to a form of rationalisation or regarded as fulfilling the requirements of a bureaucratic task but became a choice of culture and society over personal feeling states; choosing to do something which was understood to benefit the community but which may cause distress to oneself. Bauman’s argument is not based upon exhaustive research of individual people’s lives or similar empirical findings and does not address the cultural making of Nazi values and beliefs in understanding the Holocaust. In his attempt to understand the Holocaust Bauman has a tendency to confuse a description of what happened with an explanation of why it happened. The extermination of millions of people happened not because of processes, but because of the actions of human beings who wanted the outcome of the processes they were involved in.

Bauman has a tendency to view the Nazi regime as a movement without a coherent world-view or ideology. The Nazis constructed their own racially motivated communitarian morality, along with their own version of civilisation and who should be included within ‘humanity’. From a Nazi perspective there was no such thing as rights before the law for Jews and other asocials; such rights were only being granted to members of the *Volksgemeinschaft*, with the excluded subjected to ‘police justice’. It was the acceptance of this ‘ethical’ stance that allowed previously moral individuals to engage in acts of great cruelty, in close proximity including face-to-face encounters with others they regarded as less than human.

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