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Editors’ Introduction

Following a series of special issues, the current issue brings together articles that reveal the enormous breadth of topics and approaches in our field. It is the intention and hope of the editors that this diversity will open up a dialogue between the disciplines. It is further proof that our topic cannot be understood and worked on in a silo. There is an understandable urge to unite many of these dramatically different approaches in an overarching narrative; however, several problems cannot be solved in each and every case. For one, we have to deal with epistemological differences (e.g., theories of action), which cannot be quickly settled. Another closely related hurdle is that a deep understanding of the knowledge acquired from other disciplines is required to avoid inadequate use of research results taken from those approaches. As reflected in the diverse wealth of perspectives in this issue, GSP would therefore, like to present readers the opportunity to discuss these many different ways of approaching collective (genocidal) violence, as well as the possibilities of combining these stocks of knowledge, applicable in the ever-growing field of genocide studies.

GSP lives from those who, as authors, reviewers, and members of the editorial team, contribute their share to the (open access) academic exchange. Given the very high workload in our profession, it is almost a miracle that it is always possible to find reviewers. The extremely positive development of the journal in recent years is also due to the work of an editorial team that is continually changing. To document this, we have introduced a new tributary page.

Susan Braden, Randle DeFalco, and Douglas Irvin-Erickson, for example, have made fundamental contributions to the development of the journal during their long years of affiliation, and their hard work and efforts should be mentioned. As managing editor, Susan, in particular, has played a significant role in this process.

With Daniel Bultmann, Laura Collins, Fiza Lee, and most recently Georgina Holmes, the journal has gained new, highly committed and competent contributors over the past 12 months.

Since this year, there is also the possibility for internships (if you are interested, please contact christian.gudehus@rub.de).

GSP is still only possible through cooperation with the University of South Florida (USF). In cooperation with Chelsea Johnson and since 2019 Carla Fotherby, we have incredibly professional partners supporting our production aspects of the publication. Only through this cooperation can GSP be offered in open access.

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Fiza Lee
Daniel Bultmann
Laura Collins
Roland Moerland
Diana Popescu
JoAnn DiGeorgio-Lutz
The field of genocide studies has greatly expanded over the last 20-30 years. Accompanying this growth has been a debate among scholars in the field that has, at times, been contentious.1 As Adam Jones notes, the field has been in a “constant state of evolution, exploration—and confusion.”2 As a result, Jones concludes it is best to accept that genocide “will forever be an ‘essentially contested concept’.”3 Contestation and contention cover all areas of the genocide studies geography. The definition(s) and concept(s) forwarded by Raphaël Lemkin, who coined the very term “genocide,” have been discussed, debated, and disputed. The pragmatism of using the legal definition of genocide codified in the Convention on the Prevention and Punishment of the Crime of Genocide (Genocide Convention) has been juxtaposed against the efficacy of employing such a constraining definition when it does not even fully account for Lemkin’s definition and conceptualization of the crime. How Lemkin’s understanding of genocide transformed into the one included in the Genocide Convention has also been widely chronicled, with some debate over which state(s) are primarily responsible for the resulting legal meaning of the term. Relatedly, questions have been raised about whether the term “genocide” ought to be placed alongside other egregious human rights violations as part of a broader conception of mass atrocity crimes. Finally, two of the remaining debates focus on the omission of protection for political and social groups and the exclusion of a prohibition against cultural genocide.

As the field of genocide studies expanded, two new journals emerged to deal with the questions and debates associated with the study of genocide, from cases and suspected cases, to the comparison of different cases, to legal, conceptual, and definitional debates, and to the prevention and punishment of the crime. The Journal of Genocide Research (JGR) published its first issue in 1999. As the Founding Editor, Henry Huttenbach identified a primary concern for the journal being the “sterile, dual-track approach to the Holocaust and to genocide.”4 More specifically, Huttenbach noted that, despite efforts to point out the logical fallacy of treating the Holocaust as the “apple” and other genocides as merely other “fruit,” the separation of the former from the latter continued. Thus, JGR was created “instead to promote a study of genocide without relegating a special status on one or another incident of genocide.”5 Additionally, JGR aims to encourage inquiry regarding theory and methodology, as well as to publish the works of authors from varied academic disciplines and policy experts.

Seven years later, in 2006, the International Association of Genocide Scholars itself, founded in 1994 by Helen Fein and Robert Melson, published the first issue of Genocide Studies and Prevention (GSP). GSP was created as an interdisciplinary journal to promote the prevention of genocide by educating, informing, and encouraging “new generations of scholars to conduct research on genocide and provide a forum for those who wish to work toward preventing it.”6 To this end, GSP seeks to publish “innovative research on all aspects of the causes, dynamics, outcomes, and colossal consequences and implications” of genocide, and is “open to contributions that go beyond safe, approved, and established paradigms of scholarship and science,” when such contributions

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3 Ibid., 5-6.


5 Ibid., 9.

Cases Studied in GSP and JGR and Implications

are “anchored responsibly to the norms and safeguards of established academic and scientific disciplines.”

JGR and GSP began with ambitious goals for the field of genocide studies. Though genocide studies is not “owned” by and, therefore, not limited to these two English-language journals, their missions, objectives, and reach make them ideal for the study of any trends that might be found in the study of genocide over the last twenty years. They offer a fixed sample of original research articles from which data can be extracted for this purpose. The genocide studies field is also ripe for self-analysis. As Alexander Hinton notes, “as the outlines of the field emerge more clearly, the time is right to engage in critical reflections about the state of the field.”

The purpose of this paper is to identify which cases of genocide have been studied by contributors to these journals and offer some thoughts about what this might indicate regarding the state of the field. From here, the paper is divided into four sections: methodology, results, discussion, and conclusion.

Method

In order to identify the cases studied, every original research article published in JGR, from 1999-2018, and GSP, from 2006-2018, was cataloged. For the purpose of tracking changes to the field, four intervals were used for each journal. JGR articles were grouped together in five-year intervals: 1999-2003, 2004-2008, 2009-2013, and 2014-2018. Because there were years skipped in the publication of GSP, this journal was divided into intervals by volume as opposed to by year: volumes 1-3, volumes 4-6, volumes 7-9, and volumes 10-12.

Basic information for each article was recorded, such as the article’s author and title, as well as the volume and issue in which it was published. Articles were then cataloged according to three related variables: the genocide studies canon location of the cases studied, the primary method of genocide used in the cases studied, and the type of government responsible for the perpetration of genocide in the cases studied.

The above variables were chosen for a number of reasons. First, historically, genocide studies scholarship has focused primarily on a small number of cases. According to Hinton, as represented in his canon, “the bulk of the scholarship in the field of genocide studies, especially from the 1980s through the 1990s, has focused on the Twentieth-Century Core, with the Holocaust both in the foreground and in the background.” Tracking the cases studied in JGR and GSP will allow us to see whether this has changed. Second, most genocide scholarship seems to have focused on mass killing and direct physical violence as the means by which genocide is committed to the near exclusion of other methods of genocide, such as indirect violence and biological and cultural forms of destruction. Therefore, it is important we determine the accuracy of this perception and whether the expansion of the field has been accompanied by a growing focus on methods of genocide other than mass killing and direct physical violence. Third, certain types of governments have been better understood to be capable of and willing to commit genocide. This, perhaps, is most exemplified in Rudolph Joseph Rummel’s work on democide, with his heavy focus on Stalinist Soviet Union, Maoist China, and Nazi Germany: Genocide, of course, is not a crime perpetrated only by authoritarian totalitarians governments. History illustrates this much. Additionally, even when such governments are responsible for the commission of genocide, they often have the

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7 Ibid., i-ii.
10 Hinton, Critical Genocide Studies, 12. The Twentieth-Century Core includes the Holocaust, Armenians, Cambodia, Rwanda, Bosnia, Darfur [twenty-first century], and Indigenous Peoples [taken as a whole].

helping hand of republics/democracies. Hence, it is important we determine whether the field is limited predominantly to the study of genocide committed by some forms of government to the exclusion of others.

Each of the variables were pre-defined in an effort towards consistency. The case on which an article focuses was used to determine the canon location. Thus, if genocide in Rwanda is the focus of an article, it would be grouped with articles that focus on the canon’s Triad. All repressive forms of government, including authoritarian, totalitarian, dictatorships, and absolute monarchies were categorized as “authoritarian/totalitarian,” while all forms of republics, democracies, and parliamentary and constitutional monarchies were categorized as “republic/democracy.” Therefore, articles on Soviet genocides would be grouped with those on genocide perpetrated by authoritarian/totalitarian governments and articles on settler-colonial genocides would be grouped with those perpetrated by republics/democracies. A method of genocide—mass killing and direct physical violence, indirect violence, biological, or cultural—was assigned to individual cases of genocide based on either the prevalence of one method or the predominant focus when a case is studied within the field. For example, genocide in Indonesia in 1965-1966 is categorized as mass killing and direct physical violence because that was the primary method of genocide when hundreds of thousands of real or perceived communists were killed in a matter of seven months. Though the Holocaust included a combination of all the methods of genocide, it has been primarily defined by the number of people killed. Therefore, it, too, is categorized as mass killing and direct physical violence.

Before detailing and discussing the results of this research, a number of difficulties and methodological concerns should be addressed. First, as previously noted, data collection was limited to two, though highly important, English-language journals. Thus, the data will be limited in its ability to represent the larger field of genocide studies. Second, and relatedly, because scholars from various fields contribute to genocide studies, where scholars publish research on genocide extends beyond these two journals. For example, Lindsey Kingston has an excellent article on cultural genocide and indigenous peoples published in *Journal of Human Rights*. Thus, it is important to state clearly that the data collected is only representative of what is being studied in JGR and GSP. Though I try to draw some conclusions and understandings about the field of genocide studies from this data, the results of my research are not capable of reconstructing or meant to reconstruct the field. Third, the method of collection and categorization of the data provides only one perspective of the field. For example, in grouping all the different types of government into two broad categories, authoritarian/totalitarian and republic/democracy, some nuance may have been lost. Also, the grouping of cases within four methods of genocide—mass killing, indirect violence, biological, and cultural—might not fully represent the entire focus of individual articles. Additionally, it is important to note that many of the articles did not include research on specific cases of genocide. Instead, they focused on some of the definitional, conceptual, theoretical, and thematic issues in the field. Furthermore, some of the articles on cases of genocide also addressed some of these issues. Hence, in the future, it would be worthwhile to assess what elements of the field are receiving the most attention and on which there is room for increased attention.

Despite its limitations, the data collected is representative of what might be the first attempt at using statistical data to map a part of the field by analyzing what genocide studies journals have been producing. It is, then, a first step in a process of outlining changes to the field. It is my hope that other scholars will continue this work and launch more in-depth analyses of particular elements of the field.

**Results**

From 1999-2018, JGR published 393 original research articles and from 2006-2018, GSP published 217 original research articles. In focusing on original research articles, this paper does not include


book reviews, documentary reviews, comments, letters, or editorial introductions. Specific to GSP, IAGS conference proceedings are also omitted. Each of the following subsections measures the prevalence and change over time for the following: location of each case studied in the genocide studies canon, the primary method of genocide in each case studied, and the type of government that perpetrated the genocide in each case studied.

**Genocide: Canon Location**

In 2012, Hinton first introduced his genocide studies canon. The canon is divided into six sections: Prototype, Triad, Twentieth-Century Core, Second Circle, Periphery, and Forgotten Genocides. The specific cases in each of the six sections of the genocide studies canon include: Prototype (Holocaust), Triad (Holocaust, Armenians, Rwanda), Twentieth-Century Core (Holocaust, Armenians, Cambodia, Rwanda, Bosnia, Darfur [twenty-first century], Indigenous Peoples [taken as a whole]), Second Circle (East Pakistan, Kurdish Case, Guatemala, Herero/Namibian, Kosovo, Carthage, Settler Genocides, Ukrainian/Soviet, Myanmar), Periphery (Indonesia, Argentina, Specific Cases of Indigenous Peoples, Genocides of Antiquity, Assyrian and Greek Cases, East Timor, Burundi, Maoist China, Democratic Republic of the Congo), and Forgotten Genocides (defined as the “multitude of more or less invisible/hidden/forgotten cases”).

In his article “Critical Genocide Studies,” published in GSP’s seventh volume, Hinton notes the bulk of early genocide studies scholarship focused primarily on the Twentieth-Century Core cases, with the Holocaust, which is also the Prototype case and one-third of the Triad, as the case to which others are compared. Case selection and selectivity is informative in the way it shines the light on some cases and, therefore, some perpetrators and victims, while excluding others. As Hinton puts it, “why, we need to ask, are certain cases forgotten, remembered, reorganized, or even intentionally hidden or written out of history?” Relatedly, in an email exchange, I asked Hinton where the U.S. war on Vietnam, which is covered in my book *The United States and Genocide: (Re)Defining the Relationship* as a case of U.S.-perpetrated genocide, would fall within the canon. He responded, “Vietnam would be a hidden genocide (which includes purposeful masking and/or forgetting).” Importantly, the definitions scholars use and the cases they study “are not value-neutral but are also linked to issues of power and knowledge.”

While the genocide studies canon illustrates some of the biases in the field of genocide studies, it is also not a fixed categorization. The places of cases within the canon may shift over time depending on changes within the field. As Hinton noted in an email correspondence, most cases of genocide are contested and may move from one section of the canon to another over time, and not always in only one direction. For example, Hinton noted that Argentina was once a forgotten case, along with the case of Bangladesh, but Bangladesh (East Pakistan) is now located in the Second Circle and Argentina in the Periphery. Meanwhile, Hinton sees the case of Darfur potentially moving out of the Twentieth-Century Core and into the Second Circle.

Hinton’s genocide studies canon was chosen as a model against which cases studied in JGR and GSP could be juxtaposed specifically because the canon is illustrative of a belief that there exists a hierarchy of cases within the genocide studies field. Interestingly, the canon may be understood to be both objective and subjective. Through a measurement of cases studied in the field, the canon can be an objective representation of the field by situating cases within different levels of the canon based on how heavily they are studied. Yet, the canon is also subjective in that decisions are made by scholars regarding which cases they study. Therefore, the canon is built upon the choices made by scholars regarding which cases they study.

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15 Similarly, Hinton writes, “but we also need to consider why we focus on certain cases and topics and what sorts of inclusions and exclusions ensue,” Hinton, *Critical Genocide Studies*, 12-13.
16 Ibid., 12.
17 Hinton, email communication, February 13, 2019.
19 Hinton, email communication, March 11, 2019.
by scholars who are informed by their own biases. It is with this in mind that the canon location of cases studied in JGR and GSP were tracked for this study. In what follows, it will be shown both the overall number of cases in each canon and any changes over time.

Among the original research articles in JGR between 1999 and 2018, there were 320 total cases studied. The Prototype accounted for 24.7 percent of cases studied, the Triad for 18.8 percent, the Twentieth-Century Core for 6.6 percent, the Second Circle for 24.7 percent, the Periphery for 11.9 percent, and Forgotten cases for 13.4 percent. These numbers do not tell the whole story because the Holocaust is also part of the Triad; the Holocaust, Armenian Genocide, and Rwanda account for nearly 43.5 percent of all cases covered. The Holocaust, Armenian Genocide, and Rwanda are also part of the Twentieth-Century Core. As can be seen on the right half of Figure 1 below, when combined, the entire Twentieth-Century Core accounts for a full 50 percent of all cases covered in articles published in JGR. Still, more can be learned by breaking down some of the other categories further. For example, among the 79 articles that focused on Second Circle cases, 28 of them analyzed Settler Genocide cases, while 24 of them focused on Soviet cases. This is significant not because Soviet cases are overrepresented, but because there is a near-equal focus on cases committed by one perpetrator as there is on the multiple settler perpetrators. Notably, however, of the 38 Periphery cases, 26 of them focused on specific cases of indigenous genocide. Finally, when combined, only 54 of the articles focus on settler/indigenous genocide, or 16.9 percent of all JGR articles.

![Figure 1. JGR: Canon Location of Cases Studied](image)

Between 2006 and 2018, original research articles in GSP studied 137 cases. Significantly different from JGR, only 10.2 percent of GSP articles were on the Prototype. However, at 32.8 percent, there was a large focus on the Triad. Another 22.6 percent of articles were on the Twentieth-Century Core. As represented in Figure 2, when combined, the entire Twentieth-Century Core accounts for 65.6 percent of all articles, a significantly larger portion than found in JGR. The focus on the first three sections of the genocide studies canon has ramifications for the study of cases lower in the canon. Only 15.3 percent focused on Second Circle cases, 9.5 percent on Periphery cases, and 9.5 percent on Forgotten cases. Settler/Indigenous cases accounted for only 10 of the 137 cases studied, or 7.3 percent.
As is evident in Figures 3 and 4, there was increased coverage of the bottom half of the genocide studies canon from the first interval to the last in both JGR and GSP. In JGR, during the first interval, the top half of the canon was represented in 68.4 percent of the cases. By the last interval, this was nearly inverted with the bottom half of the canon represented in 62.5 percent of the cases studied. Coverage of the bottom half of the canon peaked in the third interval at 65.6 percent. Meanwhile, GSP started with 87.5 percent of cases studied in the first interval coming from the top half of the canon. By the fourth interval, this had decreased to 51.4 percent. Though GSP increased its coverage of the bottom half of the canon, such cases only represented the majority during one of the four intervals—60 percent in the third.

Figure 3. JGR: Change in Canon Location over Time
In 1982, Irving Horowitz argued that “democratic and libertarian states” can be differentiated from “repressive or totalitarian states” by the types of state violence in which they engage. According to Horowitz, “wars have been fought between democratic and authoritarian states throughout the twentieth century. And while this is by no means a simple struggle between good and evil, the fact does remain that wars are common to all sort of social systems. Genocide, on the other hand, is the operational handmaiden of a particular social system, the totalitarian system.” The problem with Horowitz’s claim is that it is inaccurate. It is inaccurate in its primary claim but is also inaccurate in the way it portrays democratic and libertarian states as uninterested bystanders to violence and genocide committed by repressive and totalitarian states. As is made clear in my own book on the U.S. and genocide and edited volume on cultural genocide, as well as the works of so many other scholars who have turned a bright light on the acts of the West in relation to the direct commission of genocide, acts of conspiracy, and acts of complicity, it is short-sighted to conclude that one form of government is more genocidal than another. Doing so, as Patrick Wolfe asserted in a different context, “confuses definition with degree.”

Despite a history of genocidal activity by governments of all forms, data shows that scholars tend to focus more heavily on those committed by governments classified as authoritarian-totalitarian. In JGR, 61.9 percent of cases studied involved an authoritarian/totalitarian perpetrator. Similarly, in GSP, 61.3 percent involved an authoritarian/totalitarian perpetrator. Though the ratios above do not indicate what might be considered an extreme imbalance in coverage of authoritarian/totalitarian genocides as compared to genocides committed by republics/democracies, Figures 5 and 6 give an impression regarding just how much larger the authoritarian/totalitarian pieces of the pie are.

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21 Ibid.
As shown in Figures 7 and 8, the government perpetrator fluctuated over time in both journals. In JGR, coverage of authoritarian/totalitarian perpetrators peaked during the final interval at 75 percent, closely followed by 74.3 percent during the first interval. At its low, JGR articles focused on authoritarian/totalitarian perpetrators 41.9 percent of the time during the third interval.\(^{23}\) This was also the only time in the combined eight intervals between JGR and GSP in which the study of cases involving a republic/democracy perpetrator exceeded those studied that involved an authoritarian/totalitarian perpetrator.

\(^{23}\) During this interval, there were two special issues that focused on perpetrators categorized as republic/democracy.
In GSP, coverage of authoritarian/totalitarian perpetrators peaked at 72 percent during the third interval and was at its lowest during the final interval at 54.3 percent.

The data on government perpetrators appears consistent with the genocide studies canon location data. Because the top half of the canon primarily includes cases of genocide perpetrated by authoritarian/totalitarian governments and because the top half of the canon has received more attention by scholars published in JGR and GSP, it is not surprising to see a corresponding focus on authoritarian/totalitarian perpetrators. This raises important questions that could be the focus of future research: (1) does case selection influence arguments made by some genocide scholars about how regime type might influence the propensity for genocide, or (2) does regime type make a significant difference regarding propensity for genocide?24

Genocide: Method of Commission

According to the legal definition of genocide, the crime can be committed against national, ethnic, racial, and religious groups when any of the following acts are committed with the intent to destroy
the group, in whole or in part:

a) Killing members of the group;
b) Causing serious bodily or mental harm to members of the group;
c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;
d) Imposing measures intended to prevent births within the group; or,
e) Forcibly transferring children of the group to another group.25

Thus, the legal definition of genocide includes acts of direct physical violence, acts of psychological violence, indirect and structural violence, attempts at eliminating the viability of a group biologically, and attempts at eliminating the viability of a group by forcibly assimilating members of one group into another. As will be discussed later, genocide scholars also employ definitions of genocide other than the legal one. Some of these definitions expand upon the legal one to include cultural genocide, while others use an even narrower definition than Lemkin, limiting genocide to mass killing.

Though the Genocide Convention includes five acts of genocide, only one of which involves mass killing by direct physical violence, articles published in JGR and GSP overwhelmingly focus on cases of mass killing and direct physical violence. Among the 320 cases included in JGR, in 85 percent of them mass killing was the primary method of genocide. In GSP, 83.2 percent of the 137 cases studied involved mass killing. Cases involving indirect physical violence were the second most represented in JGR and GSP at 4.4 and 6.6 percent, respectively. Though, in GSP, cultural genocide was equal second to indirect violence. In both journals, biological cases were nearly nonexistent. The stark contrast between cases studied involving mass killing and those involving a method other than direct physical violence is clear in Figures 9 and 10.

Figure 9. JGR: Methods of Genocide Studied

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The focus on mass killing and direct physical violence over time was most marked in JGR. Scholars published in this journal who focused on this method of genocide accounted for 80.8 percent, 82.4 percent, 85.2 percent, and 91 percent of all articles across the four intervals. See Figure 11 for comparisons between the four intervals.

Though only marginally, as can be seen in Figure 12, the methods of genocide were slightly more evenly distributed in GSP as compared to JGR. Mass killing, as the primary method of genocide, was included in 96 percent of the cases studied in the first interval, which was also the largest representation in any of the combined eight intervals, 79.3 percent in the second, 66.7 percent in the third, and 79.4 percent in the fourth.
As with the data on canon location and government perpetrators, the data on primary method of genocide used in the cases studied appears consistent with what one might expect based on the previous data. Cases located in the top half of the canon tend to be those with large numbers of people killed by mass killing. This, too, leaves room for further research. Are the cases that are studied most frequently chosen because they have the tell-tale signs of what is broadly understood to be genocide—the deaths of a substantial number of people who are members of a group by mass killing? Or, is genocide broadly understood to involve mass killing because scholars have made a deliberate choice to study some cases more than others based on their own perceptions and biases? What follows in the discussion will offer an initial response to some of the questions raised.

Discussion

In *The Politics of Annihilation: A Genealogy of Genocide*, Benjamin Meiches analyzes how ideas, concepts, and understandings about genocide have become entrenched. Meiches defines what he refers to as the hegemonic understanding of genocide as the “dominant series of assumptions and practices” that exist as part of a belief that “genocide is a self-evident concept...supported by strong presumptions about meaning, language, and law.”26 Importantly, Meiches does not limit the hegemonic understanding to a single definition of the concept of genocide. Rather, the hegemonic understanding is “a form of discursive practice within the politics of genocide, which operates as if the concept of genocide may be defined by more or less objective criteria, has stable political implications, and can be used to set up a static taxonomy or hierarchy for governing mass atrocities.”27 As Meiches articulates, the hegemonic understanding of genocide is problematic because it is exclusionary; it places groups and identities that do not conform to those protected outside the possibility of genocide, while also restricting genocide to mean only one type of violence and its variants.

The results of the analysis presented in this paper support Meiches own analysis. It is possible that a hegemonic understanding of genocide has contributed to a study of genocide that is generally limited to particular cases perpetrated by one form of government carried out by a single method. As previously shown, 50 percent of cases studied in JGR focus on the top half of the genocide studies canon. This might at first glance appear to be parity, but when considering the distribution of cases in the canon, the reality is far from it. The top half of the canon, made up of the Prototype,
Triad, and Twentieth-Century Core, includes the following cases: Holocaust, Armenian Genocide, Cambodia, Rwanda, Bosnia, Darfur, and Indigenous Peoples taken as a whole. This means that seven cases account for 50 percent of case studied in JGR. Meanwhile, the bottom half of the canon, made up of the Second Circle, Periphery, and Forgotten cases, includes 15 specific cases, plus all Soviet cases, individual indigenous cases, settler cases, cases of antiquity, and the innumerable forgotten cases. The heavy emphasis on the top half of the canon is even more pronounced in GSP. Nearly 66 percent of the cases studied are located in the Prototype, Triad, and Twentieth-Century Core, leaving only 34 percent of cases studied being among the plethora that make up the bottom half of the canon.

Mass killing was the primary method of genocide in 85 percent of the cases studied in JGR and 83.2 percent of cases studied in GSP. There is a link in this regard to the cases chosen to be studied. Among the seven cases in the top half of the canon, mass killing, and direct physical violence are emphasized. This is especially true of the Holocaust, Armenian Genocide, Cambodia, Rwanda, and Darfur. The overall death toll in Bosnia from the war, as well as the deaths of 8-10,000 men and boys at Srebrenica, are of particular focus, though attention is paid to ethnic cleansing and cultural destruction as well. Similarly, though indirect means and cultural destruction are prominent in Indigenous genocides taken as a whole, when focusing on the whole the massive loss of life remains at the foreground. Though cases involving mass killing and direct physical violence remain prevalent in the bottom half of the canon, there are many cases that involve indirect violence, cultural destruction and prohibitions, or some combination thereof. Such cases include the settler genocides, specific cases of indigenous genocide, Soviet cases, and China under Mao. Additionally, there are the innumerous Forgotten cases, including West Papua, the results of the sanctions imposed on Iraq in the 1990s and early 2000s, Palestine, ISIS, and Yemen, to name just a few, which involve indirect and/or cultural violence.

The choice of cases and the method of genocide employed within these cases also influence what types of governments are most likely to be studied as perpetrators of genocide. Because settler genocides and individual cases of indigenous genocide are most likely to have been committed by republics/democracies, they have also received less attention based on the focus on the top half of the canon, while they are in the bottom half. It is also likely that there are Forgotten cases, including some of those mentioned above, for which republics/democracies are responsible. With increased attention to Second Circle, Periphery, and Forgotten cases could come greater parity between cases for which authoritarian/totalitarian governments are responsible and those committed by republics/democracies. Furthermore, there is also room for future research on the role external state actors, including and especially republics/democracies, play in directly aiding authoritarian/totalitarian genocides or in facilitating the conditions in which genocide is possible.

All the above begs the question: why have a small number of cases perpetrated by authoritarian/totalitarian governments through mass killing received a disproportionately large focus? As noted at the outset of this discussion, the existence of a hegemonic understanding of genocide appears to be highly influential in this regard. The definitions of genocide utilized by scholars has a direct impact on the choice of cases studied. Mass killing through direct physical violence essentially requires the murder of large numbers of peoples. An explicit specific genocidal intent requirement includes some acts of violence and excludes others, such as the murder of a large number of people when done so in the context of armed conflict or the continuous implementation of policies that have foreseeable consequences. The ubiquitous focus on cases of genocide involving mass killing and direct physical violence has significant implications for the study of genocide and is deeply

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28 East Pakistan, Kurdish Case, Guatemala, Herero/Namibian, Kosovo, Carthage, Myanmar, Indonesia, Argentina, Assyrian and Greek Cases, East Timor, Burundi, Maoist China, Democratic Republic of the Congo.


31 In Bachman, United States and Genocide, 136-146, it is argued that the U.S., though arguably also other members of the Security Council, is responsible for genocide in Iraq.
rooted in the definitional and conceptual constraints in the field. As Kjell Anderson notes in relation to what he labels “slow-motion” or “cold” genocides,

the lack of adequate engagement of policy-makers and theorists with colonial and neo-colonial slow-motion genocides is also a failure to engage with structural violence – violence in which a social structure prevents people from meeting their basic needs. There are several explanations for this analytical deficiency. Firstly, the concept of genocide largely arose from the historical context of the Holocaust. As such, there is a tendency among genocide scholars to ignore genocides which do not fit the Holocaust model of mass killing in pursuit of a racist ideology. Secondly, structural violence is often more subtle than mass killing.32

“More subtle” here should not be interpreted as an assessment of the seriousness of the violence. As is clear in Anderson’s work, genocide can take different forms and be perpetrated in different contexts without some cases being devalued in comparison to others.

Further evidence of a hegemonic understanding of genocide and its influence on the study of genocide can be found in surveys of scholarly definitions of genocide. These surveys reveal that definitions advanced by many scholars are even narrower than the legal definition, which is itself narrower than that advanced by Lemkin. Thus, there exists a disconnect between the legal definition, the definitions typically employed by scholars in the field of genocide studies, and that forwarded by Lemkin.

In 1933, Lemkin presented his “Acts Constituting a General (Transnational) Danger Considered as Offences against the Law of Nations” at the 5th Conference for the Unification of Penal Law in Madrid. As Donna-Lee Frieze points out, it was at this conference that Lemkin described genocide “in its incipient forms: ‘barbarism’ and ‘vandalism’.”33 In Axis Rule in Occupied Europe: Laws of Occupation, Analysis of Government, Lemkin describes genocide as a process, one that does not necessarily involve the immediate destruction of a national collectivity, though such a result is possible by mass killings of all its members. Instead, Lemkin explained, genocide signifies

a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves. The objectives of such a plan would be disintegration of the political and social institutions, of culture, language, national feelings, religion, and the economic existence of national groups, and the destruction of the personal security, liberty, health, dignity, and even the lives of the individuals belonging to such groups.34

Importantly, Lemkin did not limit genocide to mass killing of members of a national collectivity. He believed there are other ways the existence of a group of people can be destroyed, which he divided into eight techniques of genocide. These include political, social, cultural, economic, biological, physical, religious, and moral. As a holistic concept, each of the eight techniques shares some relationship with one or more of the other techniques.

Three years after the publication of Axis Rule in Occupied Europe, Lemkin participated in the development of the Secretariat Draft of the Genocide Convention. The Secretariat Draft retained much of Lemkin’s concept of genocide, with the eight techniques of genocide pared down to three methods of genocide: physical, biological, and cultural. Though the language moved away from Lemkin’s eight techniques of genocide, elements of most are present in the triumvirate of genocidal methods. From the Secretariat Draft to the text adopted by the General Assembly in December 1948, the Genocide Convention evolved through a complex and contentious period of negotiations. For the purposes of this paper, it is sufficient to say that domestic and international politics greatly influenced the negotiations, which resulted in the elimination of protection for political groups and

the exclusion of cultural genocide. Furthermore, what remained of Lemkin’s concept of genocide was greatly weakened. The spirit of Lemkin’s concept partially remains, but the language is ambiguous, making it far more subjective.

In the final legal text, the erosion of Lemkin’s concept of genocide was nearly complete. Though the text retains some elements of his concept, it does so in a way that divorces them from their interconnectedness. What began as a holistic concept of genocide became, in a matter of years, based on the determinations of state actors, a list of five acts: killing group members, causing them serious bodily or mental harm, inflicting on them conditions of life calculated to physically destroy it in whole or in part, imposing measures intended to prevent births within the group, and forcibly transferring children from one group to another. Even the one component of the cultural technique that remained, transferring children, did not retain the meaning it once had. As A. Dirk Moses explains, the inclusion of the forced transfer of children was not meant to define genocidal attempts to impede the generational sharing of group social and cultural characteristics, but rather to “complement the emphasis on the physical/biological consequences of genocidal techniques.”

When comparing some of the most recognized scholarly definitions of genocide to Lemkin’s own, the disconnect between the legal definition, the definitions typically employed by scholars in the field of genocide studies, and that forwarded by Lemkin is clear. Rather than using Lemkin’s holistic concept of genocide as a starting point, many scholars in the field of genocide studies have chosen to use the adopted text of the Genocide Convention for this purpose. Of course, there are practical reasons for doing so. As Leo Kuper wrote in 1981, “I shall follow the definition of genocide given in the [UN] Convention. This is not to say that I agree with the definition…. However, I do not think it helpful to create new definitions of genocide, when there is an internationally recognized definition and a Genocide Convention which might become the basis for some effective action, however limited the underlying conception.” Yet, this alone cannot explain why so many of Lemkin’s ideas about genocide were abandoned, not only by states acting in their own self-interests during the Genocide Convention’s negotiations, but also by scholars who are not limited by the politics of international treaty making.

In departing from many of Lemkin’s core ideas about genocide, it is arguable that the proliferation of scholarly definitions has resulted in the emergence of a hegemonic understanding of genocide, one that essentially synonymizes genocide with mass killing, albeit when targeting members of a specific group. If accurate, this could offer one explanation for the data found in JGR and GSP. Evidence of such definitional hegemony can be found in two independent, but overlapping surveys conducted by Adam Jones and Scott Straus. A similar comparison of Jones’ and Straus’ surveys is included in Jeffrey S. Bachman, “Introduction: Bringing Cultural Genocide into the Mainstream,” in Cultural Genocide: Law, Politics, and Global Manifestations, ed. Jeffrey S. Bachman (London: Routledge, 2019), 2-3. In Genocide: A Comprehensive Introduction, Jones collected twenty-five definitions, developed by twenty-nine scholars, spanning from 1959 to 2014. By my interpretation, fifteen of the definitions limit genocide to the mass killing/murder of members of the targeted group. Eight of the remaining ten definitions included by Jones go beyond mass killing, but are nonetheless limited to physical (and, in some cases, biological) genocide. Notably, only two of the scholarly definitions in Jones’ text include methods

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40 These include definitions by Helen Fein (twice), Vahakn Dadrian, Barbara Harff and Ted Gurr, Yehuda Bauer, Christopher Powell and Julia Peristerakis, John Thompson and Gail Quets, and Isidor Walliman and Michael Dobkowski. Jones, Genocide, 23-27.
of genocide other than physical. Furthermore, only one definition explicitly recognizes genocide as a process, rather than simply as an end result of mass death. Christopher Powell and Julia Peristerakis define genocide “as the violent erasure of a collective identity and understand genocide as a multidimensional process that works through the destruction of the social institutions that maintain collective identity as well as through the physical destruction of human individuals.”

In Jones’ survey of scholarly definitions, fifteen of the twenty-five definitions (60 percent) limit genocide to mass killing, twenty-three of the twenty-five definitions (92 percent) recognize genocide as the physical destruction of a targeted group, whether by direct or indirect violence, leaving only two definitions (8 percent) with attacks on the life of a group that go beyond physical. Straus’ survey shows similar results. Straus includes fourteen definitions, one of which is Lemkin’s. Of Straus’ thirteen definitions, not including Lemkin, seven limit genocide to mass killing (54 percent), five more to physical genocide (38 percent), and one that approaches genocide more as a multidimensional process (8 percent). Combined, Jones and Straus review 33 non-repeating scholarly definitions of genocide. Only three of these definitions, or 9 percent, include methods of genocide other than those that will result in the physical destruction of the group.

The definitions used by genocide scholars, no doubt, influence which cases they choose to study. This does not mean that cases that do not fit within a hegemonic understanding of genocide will be excluded altogether, but it does mean that some cases will receive greater attention, while others will be pushed to the margins or forgotten altogether. As already discussed, this also has an impact on canon location, method of genocide, and perpetrator regime type, and raises questions for further research. In addition to those areas for further research mentioned previously, it could be worthwhile to see who is citing who in the genocide studies literature. If a small number of voices are treated as having greater intellectual authority on the subject of genocide, this could be a contributing factor to the emergence and perpetuation of a hegemonic understanding of genocide. This should not be interpreted as a slight against or a devaluation of the work of early genocide scholars. Rather, it is a recognition of the importance of the new ideas being generated by recent and emerging scholars.

Conclusion

When scholarly definitions like those surveyed in Jones and Straus are compared to Lemkin’s concept of genocide, one can see how much was lost. Lemkin’s holistic concept of genocide as a “synchronized attack on different aspects of life” has been largely replaced by mass killing and other means of causing mass death among members of a group. Such limited conceptions of genocide stand in stark contrast with the one advanced by Lemkin in *Axis Rule in Occupied Europe*. The near total absence of the method of cultural genocide from the scholarly definitions is especially significant. As Jones notes, “Lemkin was deeply attached to the concept of cultural genocide, and it was his most personally wounding experience, during the drafting of the UN Convention, to see his concept jettisoned.”

Meanwhile, Moses writes that some in the field of genocide studies have consciously or unconsciously misinterpreted Lemkin, noting how “even his texts have been bowdlerized to make genocide mean mass killing and/or resemble the Holocaust.” Not only have many scholars defined genocide narrower than Lemkin, who it bears repeating coined the term, but they also define genocide narrower than the definition codified in the Genocide Convention, a definition

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that is broadly criticized in genocide studies as being deficient. It is important to note that Lemkin’s own concept of genocide was far from static. It evolved as his ideas about and understanding of what genocide is progressed. It even regressed in practical terms while the Genocide Convention was being negotiated out of a need for political expediency. In other words, to allay the anxieties of the treaty’s negotiating parties, Lemkin sacrificed elements of his conception.\(^49\) Yet, as Thomas Butcher notes, even though the Genocide Convention excludes Lemkin’s triumvirate of physical, biological, and cultural genocide, “it seems clear that Lemkin was satisfied with this new tripartite schema, as he continued to use it for the rest of his life.”\(^50\)

The results of the research presented in this paper, when combined with other evidence of a hegemonic understanding of genocide, demonstrate the influence conceptual hegemony has on the study of genocide. Some cases of genocide receive significantly disproportionate attention than others, mass killing is overwhelmingly the method of genocide studied, and authoritarian/totalitarian governments are more likely to be associated with the crime. Of course, a hegemonic understanding of genocide is only one explanation. There could be others, which in turn might also contribute to a hegemonic understanding, such as: (1) the observability of mass killing as compared to that of structural violence; (2) the quantifiability of death as compared to the effects of structural violence; and/or (3) the increased attention to the study of genocide among conflict scholars.\(^51\)

Interestingly, as Meiches points out, the emergence of critical genocide studies, introduced by the likes of Dirk Moses and Alexander Hinton, has roughly coincided with an active (re)engagement with Lemkin.\(^52\) In 2010, Dirk Moses’ chapter on “Raphael Lemkin, Culture, and the Concept of Genocide” led off the significant edited volume he co-edited with Donald Bloxham, *The Oxford Handbook of Genocide Studies*. In 2013, Donna-Lee Frieze edited Lemkin’s autobiography, *Totally Unofficial: The Autobiography of Raphael Lemkin*. In 2016, Douglas Irvin-Erickson wrote what is arguably the seminal text on Lemkin, *Raphaël Lemkin and the Concept of Genocide*. There have also been special issues of JGR (Volume 7, Issue 4, 2005) and GSP (Volume 13, Issue 1, 2019; see also parts of Volume 7, Issue 1, 2012) on Lemkin. Though only speculative at this moment, it is nonetheless quite possible that this return to Lemkin’s understanding of genocide offers at least a partial explanation for a change in the amount of attention being paid to cases of genocide located in the bottom half of the genocide studies canon.

Though it will not come without contention, as the field of genocide studies continues to expand, it will benefit from increasing reengagement with definitional, conceptual, and theoretical debates. This requires the creation of space for the entry into the debate of scholars with ideas that challenge what has largely been the status quo in the field. As I describe in the introduction to the edited volume *Cultural Genocide: Law, Politics, and Global Manifestations*, those who seek to expand the study of genocide beyond the hegemonic understanding, such as through the study of cultural genocide, should not be viewed as “insurgents seeking to topple an existing regime, rather than equal contributors to the study of a phenomenon first recognized as such by Lemkin.”\(^53\) Broad recognition of a definition of genocide that more fully incorporates Lemkin’s understanding of genocide, or one that at least recognizes that the legal definition contains five acts of genocide rather than one or two, could have a trickle-down effect on what cases are studied, what methods are employed in these cases, and what types of governments are associated with the crime.

\(^{49}\) In order to ensure what he committed so much of his life to succeed, Lemkin compromised with states, especially the more powerful state actors who were more interested in a treaty that, as Beth Van Schaack puts it, “could not implicate member nations on the drafting committee.” Beth Van Schaack, “The Crime of Political Genocide: Repairing the Genocide Convention’s Blind Spot,” *The Yale Law Journal* 106, no. 7 (1997), 2268.


\(^ {51}\) In other research, I found that conflict studies represented the largest subfield of scholars published in JGR and GSP.


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Bibliography


Bachman


The Indian plays much the same role in our American society that the Jews played in Germany. Like the miner's canary, the Indian marks the shift from fresh air to poison gas in our political atmosphere; and our treatment of Indians...reflects the rise and fall in our democratic faith.

- Felix Cohen (1953)

We all want to think well of ourselves. This truism applies to societies as well as to their individual citizens. In the United States, belief in American exceptionalism has sometimes produced outlandish assertions, as when the US solicitor general, in blithe disregard of centuries of slavery and the annihilation of Indian tribes, proclaimed in 1952 that “genocide has never existed in this country. Under our form of government, it can never exist.”¹ For rosy optimism, this verdict far transcends even Whiggish history, which for all its faith in the march of progress nonetheless concedes the existence of evil, if only as a minor pothole along an improving road. The Panglossian cheerfulness of the solicitor general is not unusual in US history. Similar attitudes abound in every era of the American past, nourished by a “bardic tradition”² of historical writing that glorifies European expansion across the North American continent while ignoring or minimizing its human cost. Thus, two of the leading historians of the USA, George Bancroft and Arthur Schlesinger, each writing at moments separated by 158 years, could extol the country’s settlement as a victory over “feeble barbarians” (Bancroft in 1834) and “primitive tribes” (Schlesinger in 1992). In 2008, former US officials in the Clinton administration, including ex-Secretary of State Madeleine Albright, wrote with eyes firmly clenched shut on American history that genocide “threatens not only our values, but our national interests.”³

Reluctance to confront national crimes is not unique to the USA. Despite the aim of the Canadian Museum for Human Rights of “exploring human rights with a special reference to Canada,” and despite endorsing Canada’s recognition of five genocides in world history, the Museum does not consider the colonization of Canada genocidal. Native American critics of its view like Phil Fontaine, the ex-grand chief of the Assembly of First Nations, have not budged the Museum from its position.⁴ The tendency of Canadian officials to deny the occurrence of genocide on their own soil has recently surfaced in the debates over the report on missing and murdered indigenous women. In response to the extraordinary numbers of Indian women and girls who have been either murdered or have disappeared in Canada between 1980 and 2012, the Canadian government appointed a “National Inquiry into Murdered and Missing Indigenous Women and Girls” in 2016 to investigate the matter. In their report of June 3, 2019, the four commissioners who formed the National Inquiry charged that “state actions and inactions rooted in colonialism and colonial ideologies”⁵ had enabled mass murder and were tantamount to genocide, an accusation greeted with pushback from government officials. Neither Prime Minister Justin Trudeau nor Premier François Legault were willing to call the government’s sins of omission and commission “genocide.” Legault bluntly rejected the term as applied to the murders and disappearances. While admitting the government had failed in its


³ Ibid.

⁴ Ibid., 7.

duties to protect native victims, he hastened to add that “genocide is something else,” and went on to equate genocide with sensational government-initiated and administered mass killings like the Rwandan and Nazi holocausts. Conceding the seriousness of the violence as well as governmental nonfeasance in responding to it, Legault insisted the crimes did not fulfil the legal definition of genocide under international law: “A genocide is when someone wants to systematically cause a nation to disappear. I don’t think we’re talking about that.”

Remarkably, we sometimes encounter such attitudes among Holocaust and genocide scholars in their views on whether Euro-American treatment of native peoples was genocidal. Advocates of the view that it was genocide include Alfred Cave, Benjamin Madley, Ben Kiernan, Gray Whaley, Tasha Hubbard, and most recently Laurelyn Whitt and Alan W. Clarke; among the dissenters are Guenter Lewy, Gary Clayton Anderson, Joseph Gone, and Steven Katz. Indigenous scholars also stake out antipodal positions on the issue of North American genocide. Some are chary of attaching the label of “genocide” to Euro-native relations for fear that this act of naming will deprive indigenous peoples of agency, reducing them to passive victims of overwhelming European aggression. The word’s connotation of merciless death-dealing obscures native people’s “survivance” of Euro-American mistreatment and the sustained efforts to destroy their cultures. The ability of indigenous people to withstand such assaults is a subject of pride for many of them today. To quote a line from William Faulkner’s Nobel Prize acceptance speech, native Americans “have not only endured but prevailed.”

In virtue of the legal origins of genocide as a crime under international law, debates over the applicability of the term to the North American frontier and Euro-American expansion quickly become legalistic. This is strikingly evident in Steven Katz’s refusal to treat settler-Indian relations as an instance of genocide. For Katz, the disappearance of the native peoples of the Americas was attributable to epidemic disease, a force of depopulation that was “unwitting” and at variance with

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6 “MMIWG: Legault promises swift action based on report’s recommendations,” accessed August 12, 2009, https://montrealgazette.com/news/quebec/mmiwg-legault-promises-swift-action-based-on-reports-recommendations. As will become clear in the course of this article, the participants in the recent Canadian debate might be astonished by Raphael Lemkin’s willingness, were he alive today, to consider events like unofficial attacks on indigenous women and girls as genocide even when they do not satisfy the strict elements of the offense under the Genocide Convention.


10 “Survivance” is a term used by the Anishinaabe writer Gerald Vizenor in Manifest Manners: Narratives on Postindian Survivance. It means “an active sense of presence, the continuance of native stories, not a mere reaction, or a survivable name. Native survivance stories are renunciations of dominance, tragedy and victimry.” Gerald Vizenor, Manifest Manners: Narratives on Postindian Survivance (Lincoln: Nebraska, 1999), vii. See also Woolford et al., ed., introduction to Colonial Genocide in Indigenous North America, 12.

the “expressed and self-interested will of the white empire-builder or settler.” Katz buttresses his view with the insistence (found in his discussion of the Pequot War) that the American colonists harbored no genocidal intention during or after conflict with native peoples. The issue of intent, along with protected class, is a touchstone in parsimonious interpretations of genocide because it is an essential element of the crime as set forth in the UN Genocide Convention of 1948. If the accused neither attacked a protected group (racial, religious, ethnic, or national) nor possessed the specific intent to destroy “in whole or in part” the members of the group, then no genocide may be said to have occurred.

The refusal of Katz and other skeptics to acknowledge genocide in Euro-American/Indian relations seems still more enigmatic when the context of these relations is considered. That context was settler colonialism, a distinctive type of European colonialism in which the potential for genocide is always present. As genocide scholar John Docker has noted, the term “settler colony” is less common in US than in non-US historiographies. It signifies “a colonial society where the indigenous population was reduced to a small or tiny proportion of the overall population, whose majority population becomes composed of colonizers/migrants.” Docker classifies South Africa, Australia, New Zealand, Canada, and the USA as settler colonies. For Whitt and Clarke, settler colonies simmer with the potential for genocidal eruptions.

Unlike colonialism, “settler colonialism is a resilient formation that rarely ends.” [citing Edward Cavanagh & Lorenzo Veracini] Settler colonizers “come to stay.” While within colonialism, the Indigenous colonized population is indispensable, most commonly as a source of exploitable labor, within settler colonialism, the Indigenous population is not only imminently dispensable, but pressingly so as an obstacle to land acquisition. ...This is a “winner-take-all project whose dominant feature is not exploitation but replacement…”

“The logic of this project,” according to Whitt and Clarke, can and often does lead to genocide. In seeking the removal of the indigenes and their supersession by European settlers, settler colonialism inevitably provokes resistance from native peoples. At this point, the process of dispossession enters a period of “crisis,” and the new tense phase of the colonial project may slide toward radical solutions. Native resistance elicits counter-insurgency in the form of massacres and exterminatory wars supplemented with removals, imprisonment, starvation, allotment, boarding schools, and other techniques of cultural liquidation. The triad of domination, resistance, and genocide is a veritable natural law of settler genocides, a pattern that structures nearly every instance of violence against native peoples in settler-colonial societies.

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13 Katz, *The Pequot War Reconsidered*, 291. Katz, as well as noted Holocaust historian Yehuda Bauer, are strenuous defenders of the “uniqueness” thesis that the Holocaust was incomparable, thereby privileging the Holocaust as the preeminent genocide in world history. For a discussion of the uniqueness thesis in relation to the debate over North American genocide, see Woolford et al., *Introduction to Colonial Genocide*, 11-12.


16 Ibid., 273. Whitt and Clarke quote Patrick Wolfe’s observation that settler colonialism is not invariably genocidal; rather, its genocidal potential is unleashed when the process of depriving indigenes of their ancestral lands and transferring them to civilian-settlers is “put under pressure and is in crisis.” See Patrick Wolfe, “Settler Colonialism and the Elimination of the Native,” *Journal of Genocide Research* 8, no. 4 (December 2006), 402. McDonnell and Moses trace the approval of mass killing as an appropriate response to native resistance to the Spanish and (later) to the English political philosopher John Locke, who wrote that indigenous rebels had “declared war against all mankind, and therefore may be destroyed as a lion or tiger, one of those wild savage beasts with whom men can have no society or security.” John Locke, *Two Treatises on Civil Government* (London: Routledge, 1884), 196-197, quoted in McDonnell and Moses, *Raphaël Lemkin*, 69.
Other scholars have documented this pattern in North America. Genocide historian Benjamin Madley helpfully reminds us that the prolonged and internecine Modoc wars were launched when a party of forty white trappers invited the Modoc to a feast in 1840. The “feast” was in reality an ambush: as the Modoc sat eating, the trappers detonated a cannon, killing many of their native guests. As Madley concludes, the trappers’ gratuitous and unprovoked massacre “primed the Modoc to resist incursions.” This primal murder, in other words, was seared into the hearts and minds of the Modoc during an early stage of their contact with Euro-Americans, embittering their attitudes toward the newcomers and steeling their resistance. Modoc reprisals then became a justification for their genocide. By the fall of 1855, Californians were openly demanding the total eradication of the Modoc.17

Raphaël Lemkin believed settler colonialism was intimately connected with genocide. Although it is often assumed that Lemkin devised his concept of genocide to cover Nazi atrocities during World War II, in fact the elements of the offense, as Lemkin construed it, predate his systematic elaboration of genocide in *Axis Rule in Europe* (1944).18 Furthermore, it is clear from both chapter 9 of *Axis Rule* and his unpublished writings, composed between the mid-1940s and his death in 1959, particularly the notes he and his research assistant prepared for a never-completed world history of genocide, that Lemkin intended his definition to apply to other mass exterminations, including Euro-American interactions with North American Indians. In the exposition of his concept of genocide, he was not bound by a narrow statutory formula. Despite his training as a jurist, Lemkin would kick himself loose from the constrictive hermeneutics of legal formalism in favor of a broad and allusive understanding of genocide. As we will see, at the heart of Lemkin’s concept was a concern with the integrity and preservation of unique cultural forms—the very phenomena under threat from civilian settler colonialism. Lemkin’s surprisingly non-legalistic conception of genocide is rooted less in 20th century legal developments than in the European Romanticism of Johann Gottfried Herder and Friedrich Karl von Savigny. While law was the integument of his concept, the urge to protect cultural ways of being in the world was its life-blood.

**Lemkin’s Concept of Genocide: from Madrid to *Axis Rule in Europe***

*Barbarity and Vandalism*

While Lemkin would over time extend his conception of genocide beyond Nazism, Hitler’s persecution of German Jews in the months following his appointment as chancellor was the impetus to Lemkin’s first major public statement on a proposed type of international crime that clearly foreshadowed his subsequent definition of genocide. In his autobiography, he wrote that he and his colleagues at the Association Internationale de Droit Pénal (AIDP) were concerned that Hitler would transform his anti-Semitic rantings in *Mein Kampf* into policy, now that the Nazis had seized power in Germany. Lemkin continued: “Now was the time to outlaw the destruction of national, racial and religious groups.”19 In the fall of 1933, he drafted a proposal to be delivered at the 5th Conference for the Unification of Penal Law in Madrid, Spain. His proposal identified five “new types of crimes”20 under international law; of the five, two of them, “barbarity” and “vandalism,” are relevant for us here.

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18 Dominik Schaller and Jürgen Zimmerer contend that the destruction of the Armenians during World War I was the stimulus to the young Lemkin’s belief in the need for an international law criminalizing “the wholesale extermination of ethnic and religious groups.” Schaller and Zimmerer, introduction to *The Origins of Genocide: Raphael Lemkin as a historian of mass violence*, ed. Dominik J. Schaller and Jürgen Zimmerer, (London and New York: Routledge, 2009), 1-8.


For Lemkin, barbarity was a crime that attacked individuals for the purpose of harming the “collectivity” to which they belonged. Hence, barbarity does harm not only to the person but to his or her group. It consists of “acts of extermination directed against the ethnic, religious or social collectivities, whatever the motive (political, religious, etc.); for example, massacres, pogroms, actions undertaken to ruin the economic existence of the members of a collectivity, etc.” Because such acts “endanger both the existence of the collectivity concerned and the entire social order,” Lemkin urged the international community to criminalize them by means of an international convention.21

The second kind of collective assault Lemkin called vandalism. Where barbarity tended to focus on physical attacks on persons based on group membership, vandalism was a “systematic and organized destruction of the art and cultural heritage in which the unique genius and achievement of a collectivity are revealed in fields of science, arts and literature.” The interest Lemkin sought to protect by criminalizing vandalism was “world culture,” insofar as individual cultures made unique contributions that enriched all of humankind. When these cultures and their artifacts were destroyed, “it is also all humanity which experiences a loss by this act of vandalism.”22

What bound together the crimes of barbarity and vandalism in Lemkin’s early thinking about genocide was the nature of the attack: in both cases, the assault was directed against a cultural entity, at either a physical (barbarity) or spiritual/cultural (vandalism) level. Physical extermination was one technique of annihilating a group. However, even in this incipient stage of Lemkin’s thought, the physical act of killing was simply one way to achieve a more insidious end—the obliteration of a unique collectivity and its culture. The legal good that Lemkin exhorted the world community to protect, by recognizing barbarity and vandalism as international crimes, was the manifold and intricate life of a culture. He advised the world community to criminalize these offenses because the destruction of cultures robbed human civilization of the invaluable and, indeed, irreplaceable riches that only these aggregates of human sociality might provide.

The Influence of European Romanticism on Lemkin: The Defense of Particularity

I would suggest that in his paramount concern with the well-being and continuance of group identities, Lemkin was inspired less by the criminal-legal dogmatics of his era than by a strain of European thought rooted in Romanticism, particularly the thought of the German philosopher Johann Gottfried von Herder. In Lemkin’s Madrid paper and his later exposition of genocide in chapter 9 of Axis Rule, his deep appreciation for the incommensurability of cultures evokes Herder’s defense of cultural heritage as the highest good in human history. For Herder, as for Lemkin, the defense of culture was not restricted purely to its Western forms; rather, it extended to the indigenous civilizations encountered by the West, which had already become the victims of European domination starting in the 16th century. According to intellectual historian Isaiah Berlin, from Herder’s belief in every culture’s Schwerpunkt (center of gravity) sprung his “passionate concern with the preservation of primitive cultures which have a unique contribution to make, his love of almost every expression of the human spirit, work of the imagination, for simply being what it is.”23

For Herder, the teeming customs, languages, and folkways of humankind contributed to the realization of “a common Humanität” (humanity) that enriched everyone’s lives by enabling all people to become more fully human. Humanity, in other words, was not a static suppositum, the sum total of persons bearing unalterable traits, but a dynamic, evolving, and emergent phenomenon that achieves more fully human qualities over time and with each contribution rendered to it by the various cultures in the world. Hence, cultures must not be tampered with; they should be allowed to grow naturally and organically. Berlin contends that Herder’s belief in cultural inviolability—his “relativistic passion for the individual essence and flavor of each culture”—cast a wide net of

21 Ibid.
22 Ibid.
influence over modern European thought. One thinker caught in that net was Raphaël Lemkin, whose mature concept of genocide as it takes shape in chapter 9 of *Axis Rule in Europe* evinces a distinctly Romantic commitment to the local and specific.

**Lemkin’s Mature Concept of Genocide in *Axis Rule* (1944)**

Genocide scholar Douglas Irvin-Erickson has argued that the destruction of *culture* per se was not genocide in Lemkin’s estimation. Rather, it was the destruction of *nations* that fulfilled his definition of genocide—nations understood as “aspects of consciousness that took on a social reality as a ‘family of mind’ between individuals...” The destruction of culture might facilitate the nation’s destruction and thus become a technique of genocide, but it was not in itself an instance of genocide. Specifically, Irvin-Erickson writes, “genocide was the destruction of the family of mind.” While Irvin-Erickson’s assertion is well-taken, passages of Lemkin’s *chef d’oeuvre, Axis Rule in Europe*, strongly suggest that it was indeed individual cultures—including those of indigenous peoples imperiled by civilian settlers in North America—which Lemkin was striving to protect. In order to grasp the nature of what Lemkin wanted to preserve through the criminalization of genocide, we must examine in some depth his development of the concept in chapter 9 of *Axis Rule*.

An arresting feature of Lemkin’s concept of genocide in both 1933 and 1944 is its independence of the physical act of killing. As he wrote in *Axis Rule*, genocide is “a coordinated plan of different actions aiming at the destruction of essential foundations of the life of national groups, with the aim of annihilating the groups themselves.” The aim of group destruction might be accomplished through mass killings of group members, but such direct physical attacks were neither a necessary nor a sufficient condition of genocide. This may seem surprising to those familiar with the UN Genocide Convention’s definition, which interprets genocide almost entirely in terms of the physical destruction of group members. By contrast, it is the annihilation of a group’s way of life that chiefly interests Lemkin.

Lemkin’s paramount concern with attacks on a group’s way of life, committed with the intent to eradicate it, emerges from “the phases” into which he organizes the process of genocide. In the first phase, we witness the destruction of the “national pattern of the oppressed group.” In the second, we encounter “the imposition...of the national pattern of the oppressor.” Lemkin contends that such “imposition” may be inflicted on an oppressed group allowed to remain in the conquered territory, or it may occur after the oppressed group has been removed from the land and the newly acquired territory has been colonized with the oppressors’ own citizens. Lemkin’s schematization of genocide into these two phases already assumes a situation of military conflict: an outright war between different states, a civil war in which a dominant group seeks to exterminate a minority group, or a colonial war involving a colonizer that attacks indigenous peoples, either ejecting them from their land and re-filling it with the colonizers’ own nationals or allowing the vanquished to remain, but only on the condition that they accept the colonizers’ “national pattern.”

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24 Ibid., 255.
25 Irvin-Erickson, *Raphaël Lemkin*, 221.
26 Ibid., 222. Irvin-Erickson writes that “culture, in Lemkin’s definition, was a functional, structural force that integrated individuals into social groups to provide for people’s basic needs.” Ibid., 221-222. How this definition operationally differs from the construal of nations as a “family of mind” remains obscure in Lemkin’s thinking, at least for this writer. I will suggest in the present essay that it was to culture and its defense that Lemkin ultimately rallied. The integrity of the individual culture and its preservation in the face of exterminatory attack were the “legal good” (*Rechtsgut*) Lemkin sought to vindicate.
28 Lemkin’s capacious understanding of genocide invited criticism early on from his colleagues Vespasian V. Pella and Henri Donnedieu de Vabres, both of whom worked with Lemkin on the draft of what became the UN Genocide Convention. Pella and de Vabres regarded Lemkin’s cultural theory of genocide as an ill-conceived embellishment on the concept. Moreover, they differed with Lemkin’s view that forced assimilation was genocide (although they agreed on the genocidal character of forcible transfers of a group’s children into another group). Schaller and Zimmerer, ed., introduction to *The Origins of Genocide*, 5.
29 Lemkin, *Axis Rule in Europe*: Note that the last of these military situations conducive to genocidal outcomes resembles the plight of North American Indians, particularly after 1871.
The elimination of a “national pattern” and its replacement by the pattern of the dominant group may be effected through several techniques. In Chapter 9 of *Axis Rule*, Lemkin explicitly links these techniques to German occupation policy. However, it is equally clear that they are also applicable to settler relations with North American Indians—a connection Lemkin will draw in the years following publication of *Axis Rule* as he researched his planned treatise on genocide in world history. Perpetrators of genocide use these techniques to install the oppressor’s “national pattern” in the fields of politics, society, culture, the economy, biology, “the physical,” religion, and morality. In politics, Lemkin considered Germany’s abolition of local governmental structures in occupied Europe and their replacement by “a German pattern of administration” a genocidal action. In society, the Germans had sought to reconfigure Poland and Slovenia by combing each nation of its intelligentsia and clergy—i.e., those most able to organize resistance to Nazi rule—and sending them to Germany as forced laborers. In the cultural sphere, the Germans forbade the Poles and other nations under the Nazi yoke from either teaching or publishing in their native language. For the national pattern of an indigenous language, the Nazis substituted the commandment that only German could be used as the “language of instruction” in the schools of some of the nations they occupied. The national patterns of these countries would be further disrupted by the assignment to their schools of German instructors who were obliged to promote Nazi ideals in their pedagogy.

In the economy, the Germans adopted policies to expropriate Jews and Poles and transfer their wealth into German hands, with the aim of slashing their standard of living and raising obstacles to their “fulfilling cultural-spiritual requirements.” Because citizens of Luxembourg were considered racially compatible with Germans, they were given the opportunity to work on behalf of the Nazi occupation; if they declined to cooperate, their property was confiscated and redistributed to compliant Luxembourgers. In the “biological” realm, the Nazis strove to prevent non-German population growth in the occupied territories while encouraging the reproduction of ethnic Germans. They deterred non-Aryan procreation by breaking up the families of disfavored groups and deporting the men to slave labor. Harsh rationing imposed on these groups led to malnourishment of the parents and a concomitant increase in infant mortality. At the same time, subsidies were awarded to ethnic German families with at least three children in Poland; in the Netherlands and Norway, “Aryan” women impregnated by German soldiers also received additional support.

In Lemkin’s taxonomy, the physical aspect of genocide closely resembles his discussion of the biological field. Here we encounter again efforts to annihilate national groups by means of “racial discrimination in feeding.” At the top of the food pyramid were, of course, the Germans, who received 100% of their pre-war calories, followed by national groups entitled to food allocation based on their racial affinities with the Germans. On the lowest rung of the consumption ladder were the Jews, who received 27% of the carbohydrates, 20% of the proteins, and 0.32% of the fat they had consumed before the war. “Racial feeding” was the first subcategory of physical genocide; the second was “endangering of health,” e.g., seizing warm clothes and blankets from persecuted groups or denying them access to firewood and medicine during the winter, and the third, “mass killings” (such as the liquidation by firing squads of the intelligentsia in Poland, Bohemia-Moravia, and Slovenia). In religion, the Nazis undermined the national life of the nations they occupied through persecution of the Catholic Church. Finally, the Nazis assailed the moral foundations of the Polish nation by “creat[ing] an atmosphere of moral debasement within this group.” Their purpose was “to weaken the spiritual resistance” of the Poles to German domination. Lemkin claims that the Germans imposed pornographic movies and media on them and encouraged their consumption of alcohol. A Pole could avoid strict Nazi curfew laws by presenting a casino ticket to a German policeman. For Lemkin, in fastening their attention on “base instincts,” the Poles were “diverted from moral and national thinking.”

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31 Ibid., 86-87.
32 Ibid., 89-90.
Within these eight types of genocide, direct physical killing appears consistently in only one of them, the “physical” category and its subtype “mass killings.” Religious forms of genocide may also involve direct killing, such as the murder of priests in concentration camps, but just as frequently, they express themselves in non-homicidal practices like encouraging Polish youth to renounce their Catholic faith. The point of our analysis is that Lemkin in his 1944 book, thought of genocide in terms well beyond mass killing. When winnowed down to its essence, genocide for Lemkin has to do with destroying the conditions that make group identity possible. Certainly, the Gordian knot of identity may be cut by simply murdering the members of the group. Although the Germans committed mass murder on a scale rarely glimpsed in world history, physical killing was only one means employed in furtherance of a greater aim: the liquidation of groups *en masse* whom the Nazis considered inferior. Their assault on racial “enemies” is so shocking to us because it displayed a malignant ingenuity in the choice of techniques to erase entire peoples and their folkways from the face of the earth. To borrow a phrase from journalist Ron Rosenbaum, at the heart of Nazi evil is a “demonic connoisseurship” that targeted entire national, religious, ethnic, and racial groups for annihilation, most infamously the Jews but also the Poles, the mentally handicapped, the Roma, homosexuals, Jehovah’s Witnesses, and many others. What is crucial for Lemkin is the destruction of the national pattern of these groups and its replacement by the pattern of the Nazi occupiers.

Elimination of a group’s pattern and its supersession by another: this is the whorled fingerprint of genocide, the unique quality that, for Lemkin, distinguished the “crime of crimes” from other atrocities in human history. Construing genocide in this fashion, Lemkin was able to extend his model beyond Nazi criminality to identify other events that bore the telltale fingerprint of genocide. Among them was the centuries-long conflict between Euro-American settlers and the indigenous peoples of North America. That conflict, as Lemkin’s world genocide research indicates, unleashes the genocidal potential within democratic societies when native peoples stand between a colonizing majority and coveted lands. In short, not only repressive or totalitarian societies committed genocide. Under the proper circumstances, democracies might also commit it—not because the people mindlessly obey an overpowering authority but because the people will it.

**Genocide Beyond Nazism: Lemkin’s Concept as applied to Settler – Indian Relations on the North American Frontier**

*Lemkin’s World History of Genocide*

In the years following *Axis Rule in Europe* until his death in 1959, Lemkin embarked on an ambitious project that, had it been completed as planned, would likely have eclipsed *Axis Rule* as the crowning scholarly achievement of his life. The project was a three-volume exploration of genocide in world history. He was planning the book as early as fall 1947 (in November he received a letter discouraging his application to secure funding for the project from the Rockefeller Foundation). The purpose of his treatise, in Lemkin’s own words, was “to prove that genocide is not an exceptional phenomenon, but that it occurs in intergroup relations with a certain regularity, like homicide takes place in relations between individuals.” Eventually, Lemkin acquired a term position teaching criminal law at Yale University Law School. In addition to his salary, he received financial support from Yale in the form of an office, typing facilities, and a research assistant.

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34 The research for this section of the article is based on the digitized primary source materials from the Raphaël Lemkin Collection available through the Center for Jewish History/American Jewish Historical Society’s website, accessed August 13, 2019, [http://digital.cjh.org/R/D4FB5QONMX2ANLMCTA9UE873PVRJYYKLENL4PFUD9NP4PPNTC-02337?func=collections-result&collection%5Fid=1861&pds_handle=GUEST](http://digital.cjh.org/R/D4FB5QONMX2ANLMCTA9UE873PVRJYYKLENL4PFUD9NP4PPNTC-02337?func=collections-result&collection%5Fid=1861&pds_handle=GUEST).
36 AJHS, Lemkin to Paul Fejos, July 22, 1948.
Buoyed with this infusion as well as a subvention from the Viking Fund, Lemkin began his research on March 1, 1948.\textsuperscript{37}

At this stage of his research, Lemkin had gathered materials “on the following genocide cases:”

1. The Early Christians
2. The Jews in the Middle Ages; the Jews in Tsarist Russia
3. The Morescos [sic] in Spain
4. The Indians in Latin America
5. The Valdenses [sic]
6. The Armenians
7. The Hugenots [sic]
8. The Greeks in Turkey
9. The Turks under Greek occupation in 1922
10. The Indians in North America (in part)

In his collection of data, Lemkin was guided by “headings covering physical, biological and cultural genocide”—that is, categories of genocide he had analyzed only three years previously in chapter 9 of \textit{Axis Rule}. His plan was to focus “upon the role plaid [sic] by governments, groups and individuals in the commission of the crime,” as well as on “the psychological and sociological factors.”\textsuperscript{38}

Although North American Indians appear at the end of Lemkin’s list of genocide cases, the work of his research assistant in the spring of 1948 indicates the importance Lemkin attached to the North American case study in his future history of genocide. At the end of May 1948, Lemkin’s assistant summarized his research into Euro-American/Indian relations in North America, which included:

- Liquor sales to native peoples and Indian slavery
- Genocide committed on the Plains Indians and California Indians
- Land cessions “and its genocidal aspects”
- The aftermath of “southern removal cases” [presumably, Cherokee and Choctaw removal]
- General Amherst’s alleged efforts to distribute smallpox-infested blankets to the Indians
- Indian responses\textsuperscript{39}

The sub-topic of “genocide against the Plains Indians and the California Indians” invites further scrutiny. Under Plains Indians, Lemkin’s research assistant subsumed the Sand Creek massacre; the Washita massacre; the Wounded Knee massacre; the targeted annihilation of the buffalo “to starve Indians;” banning “tribal culture” on reservations; depriving native peoples of food; and the practice of allotting land to Indians qua individuals so as “to destroy tribal life.” Under California Indians, he listed the expulsion by force of native peoples into “barren mountains where [Indians] starved” and “wanton murder and militar[y] action against Indians who refused to leave, rebelled or returned occasionally to get food.” While some aspects of these subtopics involve federal or state governmental policies, others relate directly to civilian-settler genocide against indigenous peoples. This is particularly true for the genocide of California Indians in the latter half of the nineteenth century.

\textsuperscript{38} AJHS, Report.
\textsuperscript{39} AJHS, Research assistant to Lemkin, May 25, 1948.
Settler Genocide in California

In California, the annihilation of native peoples was more a local than a federally guided event. California governors beginning in January 1851 warned that further Indian depredations on settlers would lead to a “war of extermination…waged between the races until the Indian race becomes extinct.” One governor, employing the language of criminal extortion, threatened the Indians with “extermination” if they did not surrender their lands. California newspapers echoed the drumbeat of genocide. An 1856 editorial published in a San Francisco newspaper recommended “extermination” as “the quickest and cheapest remedy” for Indian mischief.

The California example illustrates the impossibility of cleanly separating government from settler-instigated genocide. In fact, in California, the two levels of action were braided and mutually supportive. A California governor might hurl threats of extirpation at Indians, but we should recall that he was elected by civilian-settlers, and the resonance of his threats in newspaper editorials both expressed and shaped the attitudes of these settlers in their conduct with native peoples. When California legislators in 1850 declared the forced indenturement of Indian children legal, they were acting in accordance with the wishes of the population who had elected them. The enslavement of California Indians proved to be a potent force in their destruction. Operating in a zone of near total impunity for crimes against Indians, settler-slavers murdered native parents and abducted their children, who were then sold into slavery. By 1860, the California legislature had enlarged the period of forced indentures and extended them to native adults. The upshot was an enslavement of some 10,000 California Indians. The entire juvenile population of some Indian tribes in northern California was abducted and indentured.

Along with enslavement, the mass killing of California Indians decimated their numbers. Although federal troops perpetrated the inaugural two massacres of natives (the first killing 120-200 Yana Indians in 1846, the second 135-200 Pomo in 1850), local militia groups and volunteers accounted for the lion’s share of Indian deaths after 1849. Yet, in the mass killings of California Indians by local settler groups, the interaction of center and periphery, again, acquired a lethal synergy. Under the 1855 Bounty Land Law, the US government granted 160 acres of land to both federal and private soldiers involved in military conflicts, including “the survivors of the militia, or volunteers, or State troops of any State or Territory” who received federal money and participated in combat. Wittingly or not, the US Congress had incentivized the physical destruction of California’s native population. Between passage of the bounty law and 1868, some northern California tribes were almost completely exterminated. Hardly any of the 2 to 3,000 Yana Indians remained after a wave of settler-militia attacks reduced their number to 100 survivors. Over the course of a decade (1854-64), the Yuki population was thinned from 12,000 to 600. Genocide scholar Ben Kiernan quotes a settler’s recollection of killing sorties he and other settlers conducted against the Yuki: “…[I]n 1856 the first expedition by the whites against the Indians was made…there were so many of these expeditions…we would kill on average fifty or sixty Indians on a trip…frequently we would have to turn out two or three times a week.” The ubiquitous pattern of genocide replayed in California much as it did throughout the North American continent: settler encroachments on Indian lands led to Indian raids on settler livestock, which invited the indiscriminate killing of Indian men, women, and children by settler militias. The Petaluma Journal of April 1857 reported on one such episode: “[W]ithin the past three weeks, from 300 to 400 bucks, squaws, and children have been killed by the whites.” Two years later, the commander of the local garrison described Euro-American settler reaction to a Yuki killing of two settlers in September 1859: “The whites have waged a relentless war of extermination against the Yukas, making no distinction between the innocent and the guilty. They have relentlessly massacred men, women and children…”

Euro-Americans dressed up these mass killings of indigenous peoples in the language of licit warfare. Such martialization of noncombatant slaughter has a dispiritingly long pedigree in Western

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40 All quotes are from Kiernan, Blood and Soil, 351-352.
41 Ibid., 352.
42 Cited in Kiernan, Blood and Soil, 352-353. The law further awarded benefits to wagon masters and teamsters or their heirs.
43 Quoted in Kiernan, Blood and Soil, 353.
colonialism. Benjamin Madley compares the California Modoc wars to similar episodes in Africa, Australia, and throughout the Americas. On all these continents, the colonizers denominated as “wars” the armed conflicts arising from native resistance to colonial domination. For Madley, the misleading nomenclature conceals their true nature as “both genocides and wars of resistance.” As his sobering anatomy of the seven anti-Modoc campaigns between 1851-73 suggests, the term “war” hardly befits the retaliatory killing of native men, women, and children for offenses they had little or nothing to do with. Indiscriminate massacre extended even to Modoc delegates invited by the whites to a peace conference in 1852. The delegates, who had voluntarily disarmed as a token of good will, were subsequently gunned down by their hosts. The settlers thereafter referred to the murder of the unarmed peace delegates as a “battle.” Grotesque misrepresentations like this one camouflage genocide with the linguistic cover of military operations.

As the nation edged toward the Civil War, the mass murder of California Indians became rampant. When an Indian was alleged to have killed a horse in 1859, the Euro-American bounty hunter H. L. Hall mounted a settler posse to exact retribution, murdering 240 native men, women, and children. The killings of women and children were deliberate and calculated and reposed on Hall’s justification that “a nit would make a louse” (that is, Indian children had to be killed to prevent the future reproduction of more unwanted Indians). Before the expedition was mounted, Hall interviewed volunteers, rejecting any who voiced compunction about killing Indian women and children. He later said about the massacre that “all the squaws were killed because they refused to go further. We took one boy into the valley, and the infants were put out of their misery, and a girl ten years of age was killed for stubbornness.” By 1860, California’s superintendent of Indian Affairs could relate that “the killing of Indians is a daily occurrence,” and the following year, the new superintendent reported that Indians “are now being hunted down like wild beasts and killed” by settlers in actions like the December 1862 massacre of 108 native people.

Settler-indigenous interactions in Oregon reflected an analogous pattern. The August 1853 death of a miner in southwestern Oregon became the occasion for settler resolutions demanding (as a contemporary observer wrote) “the Extermination of the Indian race.” The head of a speculators’ group, named Miller, coveted land on the south bank of the Chetko Indians’ land. When the Chetko denied him his request, he and his posse attacked and killed fifteen Chetko and torched their villages. Because the Chetko were not legally qualified to testify against Miller in court, he was able to consolidate his claim to the south bank land. With their backs pressed against the wall, the Chetko conducted winter raids simply to stay alive, in the course of which eleven Chetko had been killed by 1854. These and similar raids by Oregon’s indigenous population bolstered the settlers’ calls for outright annihilation of native populations. Much as in the case of the Modocs, all indigenous persons were targets of extermination whether or not they posed a threat to the lives of whites. Local militias killed not only Indians accused of raiding livestock but “friendly Indians” (in this case, natives living under peace treaties with the federal government). The cold-blooded murder of as many as 106 friendly Indians had the predictable effect of provoking war with other native groups. In short, as historian Gray Whaley has observed, the local militias and their civilian supporters did not want amicable relations with native peoples; they “wanted extermination, not treaty settlements,” and their indiscriminate attacks on native men, women, and children fomented military conflict with them.

For Whaley, the concept of “settler colonialism” has limited explanatory value. He instead prefers the term “settler folk imperialism,” which furnished the “ideological framework” within

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44 Madley, “California and Oregon’s Modoc Indians,” 102-103, 120. The fateful linkage between war and genocide has been decisively proven: in the 20th century genocides involving the Armenians, European Jews, Bosniaks, and Tutsis, military conflict was the major trigger and enabler of mass death. So far as humanitarian crimes are concerned (i.e., crimes having nothing to do with military objectives), the terminology of warfare is frequently used to legitimize mass killing. The Nazis are an example par excellence of this linguistic perversion. Well before the invasion of the USSR they had identified Jewish noncombatants on Soviet territory as military targets, then later conflated them with anti-German partisans and saboteurs. See the discussion in Herbert Jäger, Verbrechen unter Totalitären Herrschaft: Studien zur nationalsozialistischen Gewaltkriminalität (Freiburg i.B.: Walter Verlag, 1967), 352-379.

45 Quoted in Kiernan, Blood and Soil, 353-354.

46 Whaley, American Folk Imperialism, 136-137, 139.
which white settlers came to accept the genocide of native peoples as an option preferable to assimilation. The ideology of folk imperialism offered an influential rationale for genocide, holding that total eradication of native peoples would serve the well-being of settler communities. Stoked with this folk imperialism, local militia leaders and their men, the Oregon press, and state politicians all clamored for the extermination of Oregon’s native population. When the US Army opposed this policy (the federal government supported assimilation of native peoples), Oregon newspapers renewed their demands for physical annihilation, berating the army for its softness and issuing pleas to President Franklin Pierce to sack the Commanding General of US forces in the Oregon Territory, John Wool, who had proven a vocal critic of militia attacks on Indians.47

By 1860, California’s Indian population had declined from 100,000 to 32,000 under the pressures of slavery and mass murder. Even then, genocide continued to engulf Native Americans. Bounties for Indian scalps advertised in local newspapers launched new waves of mass murder from 1859 to 1861 as claimants brought mountains of their grisly relics to the state legislature for redemption. Nor were friendly Indians, like the Wiyots on Indian Island, safe from extermination: in an unprovoked attack, settler volunteers murdered nearly all of the Wiyot women and children. Although these and other assaults on Indians were often committed by settlers, federal troops (who had refused to support militia actions against native peoples in Oregon) sometimes intervened—in support of Indian killing. A federal investigator wrote that “[U.S.] troops were sent out to aid the settlers in slaughtering the Indians.” He continued:

By means of mounted howitzers, muskets, Minie rifles, dragoon pistols, and sabers, a good many were cut to pieces. But on the whole, the general policy of the government was pacific. It was not designed to kill any more Indians than might be necessary to secure the adhesion of the honest yeomanry of the state.48

While we cannot prove it from the scant documentary evidence at our disposal, it seems likely that Lemkin had such incidents in mind as he pondered his study of genocide in world history. His research assistant’s reference to the “forceful eviction from fertile valleys into barren mountains where I[ndians] starved” assuredly alludes to the widespread practice in California of native eviction from ancestral lands into areas inhospitable to agriculture or hunting/gathering.49 When starving native peoples raided settler livestock in a desperate effort to survive, they were butchered in droves by settler militias. Similarly, the “wanton murder and milit[ary] action against Indians who refused to leave, rebelled or returned occasionally to get food” mentioned in the memorandum to Lemkin implicates civilian-settlers in the genocide of native peoples.

A Closer Look at Lemkin’s Thinking about Settler Genocide in North America
The “southern removal cases (aftermath),” “failure…to protect reservations against white intrusion,” and “land cessions” referenced in the research memo all involve contributions by civilian settlers to Native American extermination. Unlike the example of the California and Oregon Indians, however, the perpetrators in the actions above frequently used techniques of genocide other than physical killing. Lemkin derived these techniques from his taxonomy of genocide in chapter 9 of Axis Rule, transferring them from Nazi occupation policy to the North American frontier. The “southern removal cases” demonstrate the inextricable relationship between federal authorities, state governments, and settler demands for Indian land in the process of Native American extermination. Reflecting an amalgam of Lemkin’s political, physical, and economic techniques of genocide, southern governments acting on Congress’s Federal Indian Removal Law of 1830—a law passed, in President Andrew Jackson’s words to the Choctaws, “to sustain the States in the exercise

47 Whaley, American Folk Imperialism, 140-141.
48 Quoted in Kiernan, Blood and Soil, 354. In this last sentence the writer implies that mass killing of Indians by federal troops extended only so far as was necessary to placate the settlers, an assertion that, if true, highlights the deadly plexus of federal-state-settler interaction for native peoples.
49 See e.g., Brendan C. Lindsay, Murder State: California’s Native American Genocide, 1846-1873 (Lincoln: University of Nebraska Press, 2015).
of their right” to seize native lands—nullified tribal governments, laws, and elective bodies. They imposed taxes on Indian communities, deprived them of the right to vote or testify at trial, and sold Indian land to white settlers. The memorandum sent to Lemkin by his research assistant cites the “aftermath” of removal as a special focus of the planned chapter on North American genocide. The aftermath, of course, was mass death of Indians evicted from their lands on the trek westward, in the course of which 20% of the Choctaw nation and as much as 25% of the eastern Cherokees perished. 700 of the 3,000 Creeks expelled from Alabama died during their forced march. Many Indian victims succumbed to the harsh conditions of the journey to Oklahoma, while others were carried away by cholera outbreaks; however, thousands were killed by federal troops and militia members during roundups.\textsuperscript{50}

Direct killing of native peoples during roundups preparatory to expulsion falls within the physical type of genocide identified by Lemkin in \textit{Axis Rule}, i.e., genocide by means of “endangering of health” and “mass killings.” The abolition of tribal government and law, however, would match his description of political genocide. Seizure of and expulsion of native peoples from their ancestral lands, on the other hand, meet the criteria of the economic form of genocide (“the destruction of the foundations of the economic existence of a national group [that] necessarily brings about a crippling of its development”).\textsuperscript{51} In short, as he planned his three-volume history, Lemkin was mapping his categories of genocide from \textit{Axis Rule} onto the interactions between Euro-Americans and native peoples.\textsuperscript{52}

The nexus between land policy and genocide is particularly complex in Lemkin’s approach to the American frontier. In his assistant’s memo, we read the following summary of research conducted:

- Obtained material on land-cessions and its genocidal aspects (on cards).
- Comparison of land policies of various colonial powers
- Land policy of US. – Treaty-making and breaking. Failure to provide for uprooted Indians, to protect reservations against white intrusion. The legal fiction.\textsuperscript{53}

What did Lemkin’s assistant mean by “the legal fiction?” The phrase appears again on a handwritten notecard, ostensibly prepared by this same researcher, on which we read:

Indians (non-Spain)
Policy towards I[ndians] – post colonial
Treaties – were made as in colonial period
U.S. gov’t recognizing I[ndian] land titles. [99]
Congress had jurisdiction over all Indian affairs.
In 1871 – \textit{fiction of Indian nationhood abandoned}. Thereafter “agreements” not treaties were made. [see p. 100 for examples of treaties].
By 1890 most Amer. land was in white hands [107].
Land cessions left no provision for settlement of displaced I[ndians] [107].\textsuperscript{54} (emphasis added)

What the author of the notecard refers to is the decision by Congress in 1871 to deprive Indians of their status under law as nations eligible to negotiate treaties with the federal government. The


\textsuperscript{51} Lemkin, \textit{Axis Rule}, 82-85.

\textsuperscript{52} As one of the reviewers of this article perceptively noted, Lemkin may also have interpreted colonial genocide as a crucial step toward the Nazi Holocaust of the war years. Here, I have followed a strict chronology that situates Lemkin’s Madrid presentation and \textit{Axis Rule} as influences on his world genocide project. The influence, of course, could be in the other direction, much as Hannah Arendt had argued in \textit{The Origins of Totalitarianism}.

\textsuperscript{53} AJHS, Research assistant to Lemkin, May 25, 1948.

\textsuperscript{54} AJHS, Indians (non-Spain), undated.
text of the law reads: “[H]ereafter no Indian nation or tribe...shall be acknowledged or recognized
as an independent nation, tribe, or power with whom the United States may contract by treaty.” 55
As a result, the federal government was able to seize native lands without their consent (which
would have been required if Indians enjoyed legally protected rights as sovereign nations). Legal
scholar William Bradford relates the fate of native peoples in the aftermath of this Congressional
decree:

Scores of tribes, their numbers reduced by war, disease, and starvation, were forced onto
land reservations in the 1870s and 1880s. The surviving three hundred members of the last
belligerents, the Chiricahua Apache, surrendered unconditionally in 1887 after the murder
of three thousand of their number. 56

At the same time, as tribes like the Chiricahua were decimated and forced onto reservations,
Indian territory disappeared into the hands of Euro-Americans avid for cheap land. In 1887,
138 million of the 2 billion acres of the US landmass were tribal lands. By 1934, Indian holdings
had declined by 90 million acres in a process that Bradford calls “legal theft.” 57 Lemkin was
unquestionably aware of this context of expropriation leading to the destruction of native patterns
of existence as the substance of his three-volume world history ripened in his mind, nor can there
be much doubt that he regarded land cession in North America as genocidal.

We ought not lose sight of the fact that abandonment of the “legal fiction of Indian nationhood,”
while effected by federal law at the center, was driven by civilian-settlers at the periphery. So
long as settlers voted in national elections, they could influence Washington’s policies. This
was certainly the case in the destruction of native peoples in California, where federal troops
reinforced settler militias in their wars against Indian men, women, and children. It was equally
true as a propulsive force behind the Congressional Act of 1871 stripping Indians of their status
as sovereign nations. Passage of the Homestead Act of 1862 (giving 160 acres of public land to
adult US citizens who were heads of households for a nominal fee) could not blunt the ravenous
demands of settlers for more land, which would now come at the Indians’ expense. Settler pressure
eventuated in passage of the 1871 Act and further plunder of native holdings. This history exposes
as an untenable falsehood the 1953 statement of the U.S. solicitor general that genocide “has never
existed in this country” because it was impossible “under our form of government.” As Lemkin
himself understood, genocide not only could happen in the USA, it did happen there, and precisely
because of democratic pressures that induced the federal government and state governments to
bow to the expressed will of the people. In Lemkin’s view by the late 1940s if not before, American
democracy was sometimes genocidal.

Conclusion
Several conclusions follow from the argument of this essay. First, it is clear that Lemkin’s concept
of genocide existed in embryo as early as 1933 and that, while the racist chauvinism expressed
in Mein Kampf and Nazi persecution of German Jews were significant stimuli of it, the essential
features of Lemkin’s idea were not exclusive to Nazism. Second, both Lemkin’s Madrid paper
and chapter 9 of Axis Rule limned a concept of genocide in which the destruction of a group’s
national pattern, rather than the physical killing of its members, was the decisive factor. Third,
when we read these two sources in juxtaposition with Lemkin’s notes for his treatise on the world
history of genocide, his belief that Euro-American treatment of native Americans was genocidal
is manifest. Fourth, the conduct Lemkin identified as evidence of genocide in the notes for his
uncompleted study often involved the actions of civilian-settlers on the frontier, who were able to

57 Bradford, Beyond Reparations, 26. An accelerant to expropriation was the “General Allotment Act of 1887,” which
partitioned communally-owned native lands into parcels doled out to individual Indians for their private use.
According to Bradford, “allotment abolished Indian reservations as autonomous and integral sociopolitical entities.”
Bradford, Beyond Reparations, 25.
harm native peoples through their own violent attacks or by proxy, such as importuning federal and state authorities to do their bidding. From this premise, we may infer that Lemkin believed civilian-settlers committed genocide on the North American frontier.

What was the harm these civilian-settlers did? As legal scholar David Luban argues, and as Lemkin putatively thought, the harm inflicted by genocide exceeds “the loss of the slaughtered individuals” but represents “an attack on human group plurality itself.” Genocide is the “crime of crimes” for a reason: it “diminishes humanity” by robbing it of a group’s “ways of life, imaginative visions of the good worked out collectively….”58 As Lemkin himself wrote in Axis Rule, “the destruction of a nation…results in the loss of its future contributions to the world.”59 The victim, then, is as much the world community as the shattered group itself. Douglas Irvin-Erickson identifies the legal good Lemkin was striving to defend as “national-cultural diversity” or “people’s ability to freely exercise their subjectivity.”60 Irvin-Erickson quotes Lemkin’s remark that “world culture is like a subtle concerto” that “is nourished and gets life from the tone of every instrument.”61 This conception of the interest at stake in the criminalization of genocide—namely, cultural diversity, freely expressed subjectivity, the nourishing of world culture through the individual cultures constituting it—reveals Lemkin as an intellectual scion of the great nineteenth century German historicists, Herder and (in jurisprudence) Friedrich Karl von Savigny.62 Like them, Lemkin wanted to protect the distinctive ethos of cultures (the Volksgeist, or “spirit of a people,” as Savigny termed it), which were singular and irreducible. North American settlers laid under siege this inestimably precious good.

For genocide scholar Patrick Wolfe, settler colonialism was not inevitably genocidal; it tended to become so only when the dispossession of native peoples was “in crisis.”63 Whitt and Clarke suggest, by contrast, that settler colonialism was inherently genocidal.64 So long as Indians occupied land that settlers coveted, the antagonists tended to move with mounting velocity toward genocidal outcomes. According to Gray Whaley, on the Oregon and California frontiers the assimilationist policy of a relatively weak federal authority yielded to a crudely utilitarian folk imperialism, one marked by an ideology of absolute destruction of native peoples.65 Settlers had arrived at the belief that genocide was desirable if it served their interests.

A dynamic internal to settler colonialism seems to push it toward genocide. Lemkin understood—perhaps with an eye on Tolstoy’s dictum (in Anna Karenina) that “every unhappy family is unhappy in its own way”—that every genocide developed its own constellation of motives, in which hatred toward the victims might be incidental. “Lemkin’s point,” writes Irvin-Erickson, “was that often it was the benefits gained through genocide—not primordial hatred—that led people to support a genocide, to commit a genocide, or even to develop group hatreds and kill. This, of course, meant that every individual who participated in a genocide did so for a different reason.”66

59 Lemkin, Axis Rule, 91.
60 Irvin-Erickson, Raphaël Lemkin, 246.
61 Ibid.
62 While Lemkin was looking backward at a European historicist tradition, his thinking was anything but reactionary or derivative. Historian Dan Stone defends the originality and prescience of Lemkin’s thought, which anticipated the connections between colonialism, genocide, and the Holocaust decades before these linkages became objects of scholarly inquiry. Dan Stone, “Raphael Lemkin on the Holocaust,” in The Origins of Genocide: Raphael Lemkin as a historian of mass violence, ed. Dominik J. Schaller and Jürgen Zimmerman, (London and New York: Routledge, 2009), 102. The amplitude of Lemkin’s conception of genocide in the final decade of his life also pushes outward the boundaries of scholarship after Lemkin that constrained the analysis of genocide around the Holocaust as the “prototype.” See Woolford et al., ed., introduction to Colonial Genocide in Indigenous North America, 10.
63 See supra, n. 16.
65 Whaley, American Folk Imperialism, 143.
66 Irvin-Erickson, Raphaël Lemkin, 242-243.
While there is much truth in Lemkin’s assertion, settler violence toward Indians usually involved the desire for something the Indians possessed: land, resources, game, water, or—much later, in a sadly neglected episode in this elegiac history—oil. The journalist David Grann has recently told the story of the serial murder of Osage Indians in 1920s Oklahoma.\textsuperscript{67} When oil was discovered beneath their land, the Osage for a time became one of the wealthiest groups in the world. Their new-found prosperity invited murderous schemes to wrest their property from them. The story Grann narrates is important; however, it should be set within the wider context of the fraud, kidnapping, and homicide that befell native peoples in “Indian country” long after the frontier was closed in 1890.\textsuperscript{68} According to historian Angie Debo, “forgery, embezzlement, criminal conspiracy, misuse of notary’s seals, and other crimes against Indian property continued with monotonous regularity, but these grosser and slightly more dangerous forms of swindling were not as common as…investing Indian money in worthless real estate, padding guardians’ accounts, and allowing excessive fees to guardians and attorneys.”\textsuperscript{69} In the midst of such predation, murder, too, became a commonplace of modern Indian life. Legal scholar Rennard Strickland has referred to the use of the law to destroy native lives and cultures as “genocide-by-law,”\textsuperscript{70} an appellation with which Lemkin would likely have been in agreement. Debo writes:

Some spectacular crimes occurred, such as the dynamiting of two Negro children as they slept, in order that the conspirators might secure title to their Glenn Pool [oil] property by forged deeds; and many sinister stories were told of Indians who died under suspicious circumstances after bequeathing their property to white men. An epidemic of such deaths broke out among aged Choctaws..., and the Federal officials became convinced of an organized plot whereby the Indian made out a will to the land dealers in return for a ten-dollar monthly pension for the remainder of his life. A suspicious fatality followed the making of such wills, and in several cases carbolic acid or ground glass was found on the premises. Several prominent real estate dealers were arrested, but the mystery of the Choctaw murders was never solved.\textsuperscript{71}

Is it too much to see in this appalling chronicle of human evil the spoor of the frontier settler? I don’t think so. The mentality of Euro-American settlers coalesced through a good century or more of interaction with Indians, during which settlers in one generation after another seized Indian possessions for themselves, often doing so violently and with impunity. This mindset did not vanish when the frontier closed. Instead, it persisted well into the 20th century in the form of the ghastly abuses Debo retails.

Lemkin never finished what would likely have been his magnum opus, his three-volume world history of genocide. He died of a massive heart attack on 42nd Street in New York City on August 29, 1959, leaving behind only the fragmentary outlines and notecards of his chapter devoted to genocide on the North American frontier. Six years before Lemkin’s death, another figure interested in the historical mistreatment of the American Indian (and one who, like Lemkin, died far too young) penned the words appearing as an epigraph to the present essay. Felix Cohen, the architect of the “Indian New Deal” of the 1930s and the creator of modern Federal Indian Law as a disciplinary field, was a fierce advocate of Native American rights. He likened the Indian in American life to the Jews in Nazi Germany. For Cohen, the Indian was a “miner’s canary” much


\textsuperscript{68} The destruction of native American lives continues at the time of this writing, which coincides with the release on June 3, 2019, of the Canadian government’s report on missing and murdered indigenous women and girls. In their report, the authors refer unequivocally to the murders as a “Canadian genocide.” “Decades of missing Indigenous women a ‘Canadian genocide’ – leaked report,” https://www.theguardian.com/world/2019/may/31/canada-missing-indigenous-women-cultural-genocide-government-report.


\textsuperscript{70} Strickland, \textit{Genocide-at-Law}, 713-755.

\textsuperscript{71} Quoted in Strickland, \textit{Genocide-at-Law}, 734.
like the German Jew: how each was treated was a measure of a society’s political health. The sickening of the miner’s canary betokened that society’s loss of faith in democracy. Genocide in North America as Lemkin understood it opens Cohen’s metaphor in a different direction. Rather than the sign of a flagging commitment to democracy, settler genocide shows that popular government—government of the people, by the people, and for the people—can be as repressive of minority groups as authoritarian or totalitarian systems, particularly in societies with inadequate safeguards for their rights. Gray Whaley’s verdict about civilian genocide in Oregon applies more generally to Euro-American encounters with native peoples: “The case of Oregon suggests that even a system premised on the natural rights of man could foster genocide when ‘the people’ wield democratic values against those defined as outside the protection of those rights.” In a word, settler genocide reveals how illiberal democracy has sometimes been in the past and, without vigilant legal protections for minority groups, may yet become in the future.

Bibliography


73 Whaley, American Folk Imperialism, 143.

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Accounts of the 1994 Rwandan genocide most often highlight its close-contact massacres as neighbors attacked neighbors, with less attention given to the reality of sexual violence. Nowrojee and Sharlach note propaganda which specifically targeted Tutsi women as sexual objects and mass rape was an integral feature of the genocide. An estimated ninety percent of Tutsi women and girls who survived the genocide experienced sexual violence by the interahamwe youth militias, by agents of the state, or by civilians. This sexual violence was perpetrated with genocidal intent, as part of the broader agenda seeking to destroy the Tutsi population. Mass rape during the genocide had lasting effects on survivors, including physical injury, psychological scars, stigma, and socio-economic marginalization.

Sexual violence also had a powerful intergenerational effect, as evidenced by the realities and experiences of children born of conflict-related sexual violence. Estimates reveal between 10,000 and 25,000 children were born of rapes committed during the Rwandan genocide, although these figures are challenging to establish due to the paucity of systematic data. While still a burgeoning

4 Given the genocidal intent and its objective of destroying an entire group through sexual violence, it could be argued that “genocidal rape” differs from the broader category of conflict-related sexual violence. While an in-depth discussion of this is beyond the scope of this paper, we suggest that such distinctions may be questionable. First, such distinctions may produce rigid binaries that are unhelpful to understanding conflict-related sexual violence as a whole. Second, research has shown that there are remarkable similarities in experiences and realities of children born of war/genocide more than there are differences. Whether in Rwanda where a genocide took place, or in northern Uganda and Sierra Leone, where conflicts were not categorized as genocide, children born of war/genocide endure challenges with identity. See Myriam Denov et al., “The Intergenerational Legacy of Genocidal Rape: The Realities & Perspectives of Children Born of the Rwandan Genocide,” Journal of Interpersonal Violence (2017), 1-22, https://doi-org.mutex.gmu.edu/10.1177/0886260517708407; family and community stigma, see Myriam Denov and Atim Angela Lakor, “When War Is Better Than Peace: The Post-Conflict Realities of Children Born of Wartime Rape in Northern Uganda,” Child Abuse and Neglect, 65 (2017), 255-265; Myriam Denov and Atim Angela Lakor, “Post-War Stigma, Violence and ‘Kony Children’: The Responsibility to Protect Children Born in Lord’s Resistance Army Captivity in Northern Uganda,” Global Responsibility to Protect 10, no. 1-2 (2018), 217-238; and socio-economic marginalization, see Denov & Lakor, When War is Better; Myriam Denov et al., “Mothering in the Aftermath of Forced Marriage and Wartime Rape: The Complexities of Motherhood in Post-War Northern Uganda.” Journal Of Motherhood Initiative 9, no. 1 (2018), 158-176. This research underscores that there may be more similarities than differences, thus challenging the need for such categorical distinctions.
area of scholarly attention, initial research has shed light on the complex lives and needs of this group, particularly the discrimination and rejection children born of war and genocide face as a result of their stigmatized identities and origins.7 However, research has generally examined the experiences of these two groups - children born of conflict-related sexual violence and their mothers - in relative isolation. To foster a more holistic exploration, this article addresses the central research question of how both children born of rape and their mothers grapple with identity and social belonging in the post-genocide political context of national reconstruction and the outlawing of ethnic identities. This approach recognizes the significance not only of everyday relationships, networks, and norms, but also of the broader political context of post-genocide Rwanda in shaping the lives and social identities of families formed from the sexual violence of the genocide.

This article takes a multi-disciplinary approach that combines perspectives from social anthropology, social work, and human rights studies. Our aim is not to elucidate a particular “process” of identity formation, since how people configure who they are and how they belong is never a singular, coherent, or linear path of change, nor a fait accompli. Rather, by drawing on in-depth interviews and focus groups with forty-four Rwandan mothers and sixty youth, our analysis reveals two key sets of tensions in their experiences of identity, selfhood, and social belonging. First, at the interpersonal level, while youth often sought to learn about their birth origins and fathers to better understand themselves and their histories, mothers actively avoided discussing their past in an effort to disentangle their identities from sexual violence and genocide. Second, at the level of larger post-genocide politics, both mothers’ and children’s identities are caught in the rigid ethnic politics of the genocide, a view of ethnicity the Rwandan Patriotic Front (RPF)-led government’s project of national unity and reconciliation actively seeks to erase. Youth experiences show how the identities of their (mostly) Hutu perpetrator fathers continue to be imposed on them, which challenges their ability to claim the unified “Rwandan” identity central to the RPF’s narrative of post-genocide recovery. Our analysis ultimately shows the distinction between the personal level of everyday social life, and the larger politics of post-genocide Rwanda are not easily distinguished,8 as challenges faced by these families exist at the nexus of the personal and the national, the individual and the structural.

The article consists of five parts. First, we outline key issues around sexual violence and social identity in Rwanda and other, similar contexts. Second, we situate our work in the broader politics of post-genocide reconstruction and, particularly the government erasure of ethnicity in Rwanda. Third, we present the study’s methodology, emphasizing a socio-ecological approach. Fourth, we provide extensive extracts from our interviews with both mothers and youth to illustrate the two central tensions outlined above. Finally, we conclude by discussing both the theoretical and practical implications of our analysis.

Identity, Belonging and Conflict-Related Sexual Violence
Social identity is a central site for understanding the effects of armed conflict on both individuals and communities,9 because identities are not static, unitary, or merely what people choose for themselves, but rather emerge relationally through ongoing social interaction.10 Indeed, social anthropologists argue all selves are configured in some sense through relations with others – this,
in spite of the prominence of the Western “folk model” of the bounded, autonomous, discrete individual that supposes who we are is a product of our own interiority. In Rwanda, however, a relational notion of personhood is a particularly important part of everyday, common sense views of the self, as it is in many African contexts. In Rwandan understandings of who people are, selves are not prior to the relationships into which they enter, but instead are constituted by social networks and defined by relational roles such as parent/child. Taylor has highlighted the relational nature of Rwandan personhood as never complete and continuously built from relations with others, including kin or exchange partners. As our analysis shows, these Rwandan views of personhood raise difficult implications for youth interviewees’ selfhood, as their relationships to their (often unknown) perpetrator-fathers raise obstacles to social belonging for both youth and their mothers. As our analysis shows, the difficulty is that both knowing and not knowing one’s father raise their own problems for these youth, and neither is conclusively preferable.

There are a wide range of potential psychological, social, cultural, political, and economic costs for survivors of conflict-related sexual violence, which can interact in complex ways to challenge and undermine their well-being, self-identity, and sense of belonging. Women survivors of conflict-related sexual violence experience profound hardships, including experiences of disequilibrium that may prompt a crisis of self-identity. Moreover, in Rwanda and elsewhere, women who are raped often experience a drastic reduction in their societal value and status within their communities. As part of normative cultural traditions, especially where value is ascribed to women’s sexual “virtue,” this can negatively impact marriage suitability of women who have been raped. Consequentially, social stigma may hinder women’s ability to access arable land and income-generating activities typically acquired through marriage, thereby undermining their livelihood opportunities. Furthermore, for girls, loss of virginity through rape may challenge a potent rite of passage for group membership and womanhood. Thus, as is the intended effect of conflict-related sexual violence, experiences of wartime and/or genocidal rape can fundamentally challenge victims’ statuses and roles as community members and can significantly affect mothers’ relations with their children born of rape.

Research on conflict-related sexual violence in multiple cultural contexts has demonstrated rape may not only rupture mothers’ sense of selfhood, it also profoundly affects the ethnic and

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13 Eramian, Peaceful Selves, 6.
19 Ibid., quoted in Clark, A Crime of Identity.
20 Denov et al., Mothering in the Aftermath, 158-176.
social identities of their offspring. In contexts of ethnic conflict, the stigma of rape may be passed down to children who symbolically bear the mark of both “illegitimacy” and the “enemy” through biological association with their perpetrator fathers. The paternal heritage of children born of conflict-related sexual violence is a potent marker of their identities, one that can endure across their life span. Seto notes in her discussion of children born of wartime rape in contexts around the world that, despite their blamelessness in the circumstances under which they were born, youths’ ascribed identities are representative of an “enemy,” ultimately rendering them “highly politicized subjects.” These imposed, stigmatizing identities carry lasting consequences with negative social and practical implications, including children’s exclusion from key social institutions and resources such as marriage, social and familial networks, and access to school, employment, or inheritance. Scholars have also demonstrated that these children’s birth origins significantly affect their sense of self. For Rwandan children born of conflict-related sexual violence, their selfhood is riddled with tension and contestation, since the relations between parents and children that constitute personhood are, in their case, infused with a violent past. As a result, youths’ experiences of their relational identities with respect to their mothers, siblings, wider communities, and their (usually absent) fathers are inherently ambivalent. Even when children do not know their fathers’ identities or the truth about their origins, a lack of knowledge of their roots is itself a serious barrier to belonging in their communities. Not knowing their paternal roots “erase[s] half of the child’s identity,” since key relations constitutive of their personhood are unknown, which can also exclude them from paternal inheritance. However, discovering the truth surrounding their conception is by no means strictly positive, since research in multiple contexts has shown affected youth have reported they “no longer felt the same” or feel split between their “old life” prior to their discovery and their “new life” after learning their birth origins.

In sum, youths’ and mothers’ stigmatized identities have real implications. The culture of silence and stigma produces the perception that youths’ very existence is taboo. However, it is not just at the level of interpersonal relationships that families formed from sexual violence find themselves entangled in the contradictions of the genocide’s legacies, but also at the level of national politics and reconciliation initiatives.

Ethnicity, Past and Present in Rwanda

In post-genocide Rwanda, the tensions between mothers’ and youths’ selfhood are shaped by a larger set of politics, namely, the intersections of the ethnic politics of the genocide with the RPF’s current policies of reconciliation and de-ethnicization. Youth and mothers find themselves at the nexus of this difficult and complex history. In the Rwandan context, politics have always been infused with the question of ethnic difference because ethnicity – or its erasure – has long been at the center of debates about modern nationhood and who the rightful leaders of Rwanda

23 Donna Seto, No Place for a War Baby: The Global Politics of Children Born of Wartime Sexual Violence (Farnham and Burlington: Ashgate, 2013), x.
24 Ibid; Denov and Lakor, When War Is Better, 255-265; Denov and Lakor, Post-War Stigma.
26 Kahn and Denov, We Are Children; Angela Veale et al., “Children of Young Mothers Formerly Associated with Armed Forces or Groups in Sierra Leone, Liberia, and Northern Uganda,” in Early Childhoods in the Global South: Local and International Contexts, eds. Jacqui O’Riordan et al., (Oxford: Peter Lang, 2013), 27-48; Veale and Stavrou, Former LRA’s Child Soldier Abductees.
27 Carpenter, Forgetting Children Born, 36.
28 Ibid., 111.
29 Denov et al., The Intergenerational Legacy; Kahn and Denov, We Are Children.
are, whether the traditional Tutsi elite or the Hutu majority. When Belgian colonists established rigid patrilineal descent rules and identity cards in the 1930s that governed what ethnic category a person belonged to, sharp new inequalities emerged between Tutsi and Hutu, particularly unequal access to education and high-ranking posts in the colonial governance apparatus, which up until independence, were by and large reserved for the sons of the Tutsi elite. It was these ethnic inequalities that were infamously invoked in the anti-Tutsi propaganda of the early 1990s in the campaign to mobilize the Hutu population in support of the government that eventually perpetrated the genocide.

In the aftermath of the genocide, the RPF outlawed ethnic self-identification, removed ethnicity from national identity cards, and proclaimed all citizens should unite under a single national Rwandan identity. The controversies around the government’s program of de-ethnicization, unity, and reconciliation, and its political agendas are well established in the critical literature, so we do not review them all here. What is crucial is that the lives of mothers who were raped and their children support a key finding of the post-genocide scholarship, namely how ethnic difference persists and continues to shape the post-genocide period in spite of RPF reconciliation policies. As such, mothers who were raped during the genocide and the children they bore find themselves at an awkward juncture. These families remain symbols of the ethnic politics of the genocide, because they are products of systematic rapes by (mostly) Hutu men that targeted Tutsi and “moderate” Hutu women. As our data shows, youth and their mothers continue to have these ethnic labels (or ethnically-marked monikers, like “child of the interahamwe”) imposed on them in a moment when they are no longer politically acceptable. Thus, even as many Rwandans recognize de-ethnicization policies as problematic, that does not mean youth and mothers might not simultaneously value them for reasons beyond compliance with state policy. For example, de-ethnicization might favour mothers’ generalized resistance to speaking about the past. Likewise, even as many youth sought the facts of their birth origins, they may also value the state erasure of ethnicity for the freedom from their “Hutu paternity” it promises. As we argue, and our interviews show, the selfhood of these children and their mothers are sites in which national politics and interpersonal strife intersect, in often contradictory ways that raise complex tensions around identity and social belonging.

Methodology
This qualitative research project, funded by the Social Sciences and Humanities Research Council of Canada and led by Myriam Denov, explored the lived realities of children born of genocidal rape and mothers who gave birth to them. The study sought to examine the post-genocide perspectives and experiences of these mothers and children, alongside the relationships between these two groups of participants.

The study drew upon a socio-ecological methodological framework, an approach used in social work and psychology that seeks to capture relational networks and realities shaping participants’

31 Ibid., 138.
lives. This framework underscores that people’s lives are characterized by overlapping spheres of family, community, society, nation, and state that are difficult to disentangle, and therefore cannot be considered in isolation. In line with this socio-ecological approach and to ensure that community perspectives were incorporated in the research design, the research team organized in-depth community consultations prior to beginning data collection in the three districts of Rwanda where the research was to be carried out. The consultations sought to engage a broad scope of family and community members who hold experiential and/or expert knowledge on the issue of children born of the genocide and their mothers, including youth born of the genocide, mothers who were rape survivors, extended family members of youth and mothers, religious/community leaders and organizations, elders, and organizations working on transitional justice, women’s rights, and children’s rights issues. These participants took part in small and large group discussions to offer their perspectives on relevant research questions, research design, appropriate methods, and approaches to undertake during the course of the research. The consultations were held with a total of sixty-seven people: twenty-seven in Region 1; eighteen in Region 2; and twenty-two in Region 3. The consultations provided vital guidance to the research team and ensured the study explored what these community members felt was most important in relation to the topic. This included a focus on 1) identity; 2) stigma, belonging, and social exclusion; 3) family structure and support; 4) the development of appropriate psycho-social interventions; and 5) long-term community reintegration.

Following the community consultations, in-depth interviews were conducted between June and August 2016 with forty-four mothers of children born of genocide rape, and sixty youth (twenty-nine females and thirty-one males). Mother participants were aged between thirty-three and fifty-two. At the time of interviews, youth participants were either twenty or twenty-one years old, with the exception of one participant, who was nineteen. In addition to interviews, youth participants took part in a focus group. A total of seven focus group discussions were held with eight youth participants in each group. While interview questions aimed to better understand the life story of each participant, focus group questions were centered around the collective challenges and needs, sources of support, and the rights of youth born of genocidal rape. Interviews and focus groups were audio-recorded with participants’ permission. Local researchers conducted interviews in Kinyarwanda, while Canadian researchers used English with simultaneous English-Kinyarwanda translation.

A snowball sampling procedure was used to recruit mother and youth participants. Participants resided in one of three regions of the country, which were selected by the research team in order to explore the similarities and differences of youth and mothers in both rural and urban settings. To protect the identities of participants, they are only referred to in categorical terms, e.g. “mother participant,” or “youth participant, male.” Interview and focus group audio files were translated and transcribed from Kinyarwanda to English. A grounded theory approach to data analysis was employed, whereby through careful reading and coding of transcripts, the researchers identified key themes that emerged from the data. An ongoing discussion of emerging themes by the research team was part of the data analysis process.

This study received approval from two research ethics boards: the first from the Rwandan National Ethics Committee, and the second from the Research Ethics Board of McGill University. Given the profound ethical implications of interviews and participant disclosures, as a selection criterion, youth respondents were required to have already been aware they had been born of genocidal rape prior to participating in the research, although the depth of information they had around their origins and histories varied. Since participants were being asked questions about their lives that had the potential to both revive traumatic memories and cause significant distress, psychosocial support structures were established in advance, in the event a participant should become distressed and require a referral. With participants’ permission, researchers followed up post-interview on an ongoing basis to check on and support participants’ wellbeing. To ensure support beyond standard ethical protocols, our research team offered monthly group counseling sessions for youth participants following their participation in the study. Led by a local Rwandan psychologist who was part of the research team, the group counseling was free of charge and available to all youth participants for eight months following data collection. Mothers were also
invited to contact the psychologist following their interviews for additional support.

Youth Identities: Seeking to Explore the Past
In this section, through the voices of our youth participants, we explore key themes related to their ambivalent experiences of identity. These include: 1) stigma, discrimination, and exclusion; 2) quests for the facts of their birth; 3) silence, shame, and avoidance; and 4) belonging and recognition. In examining youths’ experiences, we show how their identities are inextricably linked with their fathers, the violent past, and politically-charged ethnic labels. We highlight how youth participants’ identities appear to be deeply entangled within two vexing relational tensions, which, as the socio-ecological approach suggests, are difficult to fully separate. First, at the interpersonal level, youths’ desire to explore the past is largely in conflict with their mothers’ efforts to silence the past, further exacerabating tensions within the family. Second, at the level of the nation, children born of genocidal rape find themselves in a difficult relationship to the national genocide narrative that compels people to “coexist” in a reconciled society where ethnicity does not exist, even as their identities remain enveloped by ethnic identity politics.

Stigma, Discrimination, and Exclusion
All youth participants reported multiple experiences of stigma, discrimination and/or exclusion based on their connections to their perpetrator fathers. For example, labels assigned to these youth included “child/son/daughter of a killer,” and other links with the interahamwe youth militias. These labels directly or implicitly linked youth participants with the violent acts their fathers perpetrated against their communities during the genocide. This often translated into youth “inheriting” the blame and being perceived as if they were their fathers. Youths’ experiences and perspectives underscored how, through daily interactions, their identities as children born of conflict-related sexual violence challenged their ability to belong not only within their communities, but also within their own families:

If your dad killed people during the genocide and your dad is not here, people are seeing you as if you are him. You may find the people you interact with...are the one that your dad killed their families…
(Focus group participant)

The part that hurts me the most is being called a son of a killer... they do, like calling me a child of a killer. (Youth participant, male)

One day when I was with other children who are neighbours, one child called me “interahamwe”. What I knew was that interahamwe were killers during genocide against Tutsi. So, I went home and told my mother about what happened to me. Instead of talking, she cried a lot. (Youth Participant, female)

It wouldn’t even be your mother’s family only [that is rejecting you] but your father’s family too. You feel like you belong nowhere. (Focus group participant)

The quotations above also highlight how children’s identities in their families and communities are deeply embedded within and connected to their perpetrator fathers, and with them, the ethnic divisions of the past. Furthermore, some youth revealed even their mothers were instigators of stigma and discrimination. As youth already felt ostracized by their wider communities, stigma and rejection by their own mothers was particularly distressing:

I was four years old when my young brother was born. Then my mom was calling me a bastard. Then I was growing in that situation and was feeling not loved. (Youth participant, male)

41 Boothby, Political Violence and Development.
[My mother] does not love me, she is even calling me “interahamwe”…. Here I was sad, because life was very difficult. During this period I realized that I don’t have a father, I was harassed by my relatives. (Youth participant, male)

For many, the effects of marginalization as a result of their birth origins meant facing decreased opportunities for education and economic support, lack of care and affection, and in many cases, physical abuse. Participants linked physical abuse directly to their birth origins as children born of genocidal rape and/or their perpetrator fathers:

My stepfather was beating me, hurting me and calling me a bastard as well. He was even telling me to go to see my dad. (Youth participant, male)

Here, it is when I used to be beaten by my aunt. And when I was fifteen years old I asked my mum about my father and she was angry with me. [Crying] Here they used to ask me to do all the housework and to stay at home. I could not go to play with other children. In that case I was beaten. (Youth participant, female)

Youth participants thus bore the ethnic identities of their perpetrator fathers that are linked to a stigmatized “enemy other.” These youth’s “inherited” Hutu identities were particularly politicized in the context of Rwanda’s post-genocide de-ethnicization policy under which ethnic labels are equated with a divisive genocide ideology. This fraught politics of ethnicity ultimately challenged their sense of belonging in the current political moment characterized by a “Rwandan” nation:

I want them to treat me as Rwandese without asking me if I am a Hutu or a Tutsi. (Youth participant, male)

These imposed ethnic labels further complicated participants’ identities and challenged their ability to understand and accept themselves:

Here we lived at [place] and I remember that I was in secondary school and it is when I heard many bad things like I was Hutu…. I was confused they were saying that my mother has children who are Tutsis and others who are Hutus and I didn’t know what was that. And it was hard to accept myself, I had a complex, I started feeling ashamed between others. And hearing people saying that my father is Hutu, he killed people in the 1994 genocide…that was hard. (Youth participant, female)

Quests for the Facts of their Births
For many youth participants, stigmatization, differential treatment, and exclusion within the family and community triggered a desire for a deeper investigation into their origins. Differential treatment within the family, especially among siblings, alongside a lack of knowledge about their origins, made participants feel “different” and prompted questioning of their identities:

My half siblings are light skinned, as you see I am black skinned and I had neighbors that were always talking about how I was not their brother because we don’t look alike, some were saying that they took me in an orphanage, others that they took me from the street and when I heard that I started being curious of my origins and my mother told me. (Youth participant, male)

I asked them the reason why my father (…..) people from my father’s side never visit us. Then they told me they said they can’t come to our house because we are not the same. We don’t belong to the same ethnic group. Because my father raped my mother in 1994. And soon afterwards she died. Because I needed to know my family from my father’s side, I went to ask them and then they told me I am not related to them. They asked me to leave - to go to my home. (Youth participant, female)

I am always asking my mom why she didn’t want to be with us while she has got other children that she is raising as a caring mom, but not us. I am always wondering why she doesn’t want to tell us who is our father, nor even raising us as her own children. (Youth participant, male)
We also have difficult to accept [sic] ourselves because we don’t know our origins. We don’t know our fathers and their families. So it becomes a problem for us. (Focus group participant)

Yes, our mum treats us [siblings] differently. She is caring [with] them. At home, she wants me to do heavy activities, even to cultivate our land. They are fifteen and twelve years old respectively. My mother seems to be unhappy with me. (Youth participant, female)

For youth participants, lack of knowledge and/or connection with their paternal origins was a potent missing piece in their relational selfhood\textsuperscript{42} that posed an obstacle to feeling they belonged in their social worlds. These questions about their origins often resulted in youth participants embarking on what they referred to as a “quest for the truth” at some point in their lives. Youth spoke about questioning the circumstances surrounding their conception, the identity of their fathers, extended family members, and their family’s genocide experiences. For most participants, discovery of the truth was a pivotal moment in their lives that both provided sought-after answers and raised new complications in their sense of themselves. As these participants explained:

I really wish to know my dad’s history. It is sad at our age to say that we don’t know anything about our father … Our wish is to know him, his history, we would be happy. As of now… we don’t know his family, we don’t know anything about him which is not normal. (Youth participant, male)

Before I knew the way in which I was born, I did not have any problem. When I learnt about my story, I felt a lot of change inside, and I realised the reason why my mother was always angry with me, using harsh words against me for any small mistake, especially during memorial period. Now I understand her reactions. She suffered a lot during genocide against Tutsi. I have accepted it since I know the truth. (Youth participant, female)

The best thing that makes me happy is to live with my mom. The worst is to live without any information about my father. (Youth participant, male)

In line with the socio-ecological perspective, youth interviews suggested discussions around their birth origins and paternal roots were extremely important for a participant’s conception of self, their relational identities, building the mother-child relationship, and most importantly, for accepting themselves:

We don’t know anything about our father, yet we have someone who knows and who shall tell us the truth but does not want to do so… Yet if our mother told us the truth, we could accept our situation. (Youth participant, male)

For me it is a problem to live without knowing your father – especially when he is alive. (Youth participant, female)

\textsuperscript{42}Taylor, Milk, Honey, and Money, 5.
These youths’ perspectives speak to how, in the Rwandan context, one cannot “be someone” without knowing how they are enmeshed in relations with others. Indeed, people are thought to “produce each other,” through exchange, sharing substances like food and drink, and the transmission of “parts” of parents into their children. However, as these youth explain, they struggle to know where they fit in their social worlds when they do not know their fathers, while at the same time, revelations of those details can present challenges of their own through stigma and marginalization.

Silence, Shame and Avoidance
As a result of the deeply entrenched stigma attached to their birth origins, many youths reported how discussions with their mothers and extended families on their birth origins were taboo and surrounded by silence. Their mothers, who sought to avoid speaking about painful pasts, often met their quests for the truth with silence and discomfort:

“When I was young, I was living with my mother and I used to ask her why I don’t see my father in our home. She did not tell me anything, instead she was avoiding it… On my side, when I was young, she used to hide [any information about] my history. She was telling me that my dad died. But later she told me the truth on how she was raped and how I was born.” (Youth participant, male)

“As long as she doesn’t want to talk about our Dad, I mean who he was, how he died, it’s not going to work with us… I don’t know my biological father. I heard that he died during the genocide but to be honest what affects me the most is that my mom doesn’t want to tell me who is my father … I am always wondering why she doesn’t want to tell us who our father is, nor even raising me as her own child.” (Youth participant, male)

Several youths reported their mothers were still too negatively affected by the past to discuss it, with some mothers expressing they did not want to “go back in time” to such a traumatic period of their past:

“When I came back from [place] I didn’t sleep the whole night I was crying. In the morning I asked my mother for a pen and she told me that she doesn’t have a pen but you can see clearly that she didn’t want to talk to me. I went to school, coming back to school I didn’t go home I went to my grandmother’s house. I woke up the next morning and I went back home. After a week, I asked my mother to tell me what really happened and she told me to stop making her go back in time. She cried. So from that day, I decided to stop asking about it.” (Youth participant, female)

“There’s a lot I want to ask her [mother] but when I try to ask her, she acts as if she does not want me to ask her about it….I think that when I ask her about it, the whole past story comes back into her life and it really disturbs her a lot.” (Youth participant, male)

“I asked that question [about my father’s origins] to my mother and she seems to avoid to go into details. She told me that what she knows is that he raped her and this affected her. I also asked my aunt who is not living with us and she told that my father is known and is there [alive].” (Youth participant, female)

For some youth participants, hearing the truth from their mothers rather than through gossip, insults, or discrimination was vital. Youth participants often expressed that not receiving “an adequate answer” from their mothers troubled their own sense of self, and it was also a strain on the mother-child relationship:

“Another thing is a bad relationship with you and your mother because of the things she has been through and how she doesn’t want to talk about it and you, you are curious to know what happened, so you are getting mad at each other.” (Focus group participant)
She [mother] has never taken time to tell me about my story. Instead, I was told this by other people from our family...Maybe she is still affected, but also, on my side it affects me by the fact that I am living without knowing the truth from my mother. But I hear people talking about my story, so it is a problem. (Youth participant, female)

It was important because I wanted to know the truth from her not from other people. (Youth participant, male)

Several youths explained how lacking information on their paternal ancestry negatively affected their overall sense of wellbeing. For some, the silence about their origins and histories instigated what participants often referred to as a “complex” riddled with uncertainty regarding who they were and where they belonged:

The other thing is to always hear others talking about their dads but you don’t even know who is your real father, it is painful. (Focus group participant)

There is a problem of feeling isolated, feeling not accepted in family as other children. (Focus group participant)

However, in balancing their needs and their desire to protect their mothers, some youth described how they eventually stopped asking their mothers for answers because of their strong emotional reactions:

Every time I have tried to ask her [about my origins], she was always angry with me, so I decided to leave it because it is like she is traumatized (Youth participant, male)

She [mother] has sacrificed her life for me, she has been a good mother for me, when everyone abandoned her for me, she didn’t left [sic] me, she continued to love me unconditionally...She treats me good as her child, her sister and as her best friend because we talk about everything, the only thing she doesn’t want to tell me it is her genocide problems but I think it is because she feels ashamed for that. (Youth Participant, female)

We didn’t talk about many things [about my origins] because I saw that she was crying too much, and I stopped asking her questions. (Youth participant, male)

Youth Belonging and Recognition
In terms of the socio-ecological linkages between identity and larger national politics, interviews revealed being granted official recognition as victims of the genocide was crucial for youth participants’ sense of belonging. In an effort to usher in transitional justice, reconciliation, and recovery in post-genocide Rwanda, the government initiated a development program to compensate survivors of the genocide for the destruction of life, property, and livelihoods. This program included The Genocide Survivors Assistance Fund/Fonds d’Assistance pour Rescapés du Génocide (FARG), established in 1998 to provide financial assistance to Tutsi survivors of the genocide committed from October 1st 1990 until December 31st 1994. While this fund helped to support women survivors of rape committed during the genocide, it did not include their children born from such rapes. Youth participants in this research project overwhelmingly called for an official acknowledgement by the Rwandan government as a group in Rwandan society whose origins are inextricably linked to the genocide. Many described how they believed their current life situation was a direct result of the genocide, circumstances that made their lives “different” from those of other young people. In other words, while young people recognized they were not “survivors” of the genocide according to the RPF’s criteria, many considered themselves “victims”

of genocide crimes perpetrated against their mothers and families:

> Why can’t people understand that we are victims? Youth [who currently receive support from the government, e.g. genocide survivors]...have opportunities because they are recognized by the government. (Focus group participant)

Official acknowledgement of their identities and the realities they face, according to the youth, could not only foster belonging, but also counter stigma/discrimination, and help them access supportive resources:

> We [youth born of the genocide] need to have all the rights that other children have. We need to know each other because we have the same problems. We need to be united, to understand each other. We also need to write our history. (Youth participant, female)

> First of all, [our community and government] should see us as capable, and give us the same opportunities provided to other children. FARG does not recognize us, whereas it pays school fees for genocide survivors’ children. So children of my case don’t have the same opportunities as the ones provided to the beneficiaries of FARG, like being offered scholarships. (Youth participant, female)

### Mothers’ Identity Construction: “Don’t Make Me Go Back in Time”

Two central themes emerged from interviews with mothers who bore children from genocidal rape. First, mothers sought strategies to avoid reflecting on the past because doing so made them think of the lives and relationships they might have had with their children had they not been born of rape. Second, and related, mothers had to contend with the stigma of their rape victim status and the difficulty of explaining to their children the fraught kinship relationships that they shared. All quotations in this section come from mother participants.

#### Mother’s Experiences of Sexual Violence: A Painful Past

Mothers in this study experienced brutal forms of sexual violence, torture, and abuse during the genocide. Indeed, research has uncovered the devastating consequences for women who endured sexual violence during the Rwandan genocide and gave birth to children. Understanding what these women experienced and endured during the genocide enables an appreciation of why they sought to disentangle their identities from their painful pasts:

> We were a group of ten girls who were raped and I was the only one who got pregnant. Three days after being raped, we were saved by “inkotanyi” [the Rwandan Patriotic Front forces]. All the girls we were together, they did their studies and they are now working. When I see them, I hide myself. When I think that I was a brilliant student, I feel so sad and lose morale.

> I was raped during genocide and I got pregnant. I did not even know if I would be killed like my relatives, but I survived. I accepted my pregnancy and gave birth to her and raised her… (crying) I gave birth when I was alone. I raised her alone. Nobody helped me.

Mothers reported one of the most frequent tensions in the mother-child relationship was the fact the child reminded mothers of their experiences of sexual violence and loss during the genocide. Many mothers described how their child provoked memories of the perpetrator and sexual violence, or the loss of their family members, which were all great sources of emotional pain.

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The perspectives raised by Rwandan relational configurations of the person in the post-genocide period, as mothers saw in their children the men who victimized them in 1994:

And the hardest part was that the person who raped me, killed my grandfather. So every day I remember that, and it is very painful. And when I see my daughter I see her father in her, even if we are laughing, I can just stop laughing because of that. There are things that you can forget but those are things that you live with and forgetting them is not easy...I am married but my husband doesn’t accept her. So sometimes I think that it is her fault, the things that happened to me.

When I was seeing her [daughter], the situation I passed through during genocide was immediately coming in my mind. I was seeing the man who raped me when I was 15. Nothing was making me love her at that time... As I said, her presence was reminding me of the horrible situation I was living in during genocide. Yet I was also a child who was in need of care. Also, I was poor while raising her. When I was pregnant I was even advised to abort, but I did not do it. Now I try to tolerate her because I pray.

In relation to the larger post-genocide national reconstruction efforts, mothers reported particular distress during Rwanda’s annual genocide commemoration period when they are compelled to recall the difficult past:

I don’t suffer anything unusual. I feel traumatized somehow when we are in memorial period.

I’m always having a headache; I never put braids or long hair. Some people carry things on their head but me I can’t. I also have emotional problems. Sometimes I can spend the whole night thinking about life, it actually happens during April of each year, sometimes I wake up in a very bad mood.

Mothers’ Stigma, Silence & Avoidance of the Past
Similar to youth participants, mothers’ interviews elicit how their stigmatized status of rape victim produced profound challenges around their selfhood and social belonging in the post-genocide period. Interviews revealed mothers experienced stigma because of having been raped as well as having borne and raised a “child of the interahawme.” Many mothers reported this stigma was still present at the time the interviews were conducted:

People started rumors against me that I am prostitute, that this is why I am not getting married. I was too sad.

I feel like being raped by the killers is the worst thing which took away my dignity...I feel like nobody sees me as a human being.

My mother, the neighbours, they were always talking about how I gave birth to a child of a killer. And that made me so ashamed, I didn’t want to go outside.

My life was not easy, even my own family rejected me. It was too hard to see how all the families were rejecting my son. My own family was saying that my son is from killers, while [my son’s] family hated me, because I accused them of being killers. All the families were telling me to abandon my son.

In contrast to many children’s desire to know their pasts, histories and origins, mother participants actively sought to avoid speaking about the past. This was apparent in mothers evading disclosure of their children’s birth origins and paternal roots. Most mothers highlighted the moment in which their child became inquisitive about their birth origins as particularly distressing. During these discussions, which were mostly initiated by their children, mothers not only faced difficult memories, but were also challenged to have conversations that had the potential to completely alter
their relationship. While mothers reported many different reasons for not telling their children the facts of their birth origins, many believed that having such a discussion would ultimately be hurtful to their child and to the mother-child relationship:

“It’s a sensitive issue to raise…he can’t bear it. He can’t accept it… He does not need it [to know his origins]. He uses my father’s name as his father.

He already hates the people who killed others. I thought if he knew that his father was among the killers, it may affect him.

I waited until she was grown up [to tell her]. Because I did not want her to be affected.

[What makes it hard to tell him?] I fear he may ask me many questions like “how can you not know my father?” And he may think I am a bad mom. And he doesn’t ask me [about it].

In the preceding quotations, mothers express they are compelled to keep silent about their children’s birth origins not just because of potential difficulties at the interpersonal level, but also at the levels of community and the politics of reconciliation. As such, several mothers also revealed they lacked the courage to tell their children directly about their origins:

[Do you feel you can tell him the truth?] I am not able to do it.

No, it is not possible, I don’t have the courage [to tell my son]…I pray a lot for that but I am not sure I will be able to do it…

Discussion: Tensions in Identity in Post-Genocide Rwanda

Two central and interrelated tensions emerge from the interview findings, ones that elucidate how legacies of genocide find expression at multiple levels.47 First, mothers and youth found themselves in a fraught relationship to the past and to each other. While youth often sought information about their fathers, mothers resisted speaking about the past. Echoing previous research on mothers who gave birth to children born of conflict-related sexual violence,48 our research found mothers experienced profound forms of stigma, violence, marginalization, and shame. The stigma of having been victims of genocidal rape was compounded by the perceived identity of their children as belonging to the intahamwe.49 In the Rwandan context, the consequences for families formed from this sexual violence are especially severe, as perpetrators were often neighbours of their victims and thus continue to be a difficult presence (yet also absence) in the lives of mothers and youth. As a result, many mothers believed withholding information from their children on their experiences of sexual violence and their child’s birth origins could shield them from family and community stigma.

Youth born of genocidal rape and their mothers shared experiences of stigma and marginalization from family and community members, but differed in that for youth, stigma was

47 Boothby, Political Violence and Development.
48 Woolner et al., I Asked Myself; Kahn and Denov, We Are Children.
49 It is important to note the family and community linking a child born of conflict-related sexual violence to their perpetrator father has been found in multiple contexts around the globe including northern Uganda, see Denov and Lakor, When War is Better, 255-265; for Rwanda, see Marie-Eve Hamel, “Mediated Voices: Nation/State Building, NGOs and Survivors of Sexual Violence in Postconflict Rwanda and Bosnia-Herzegovina,” 2016, accessed October 10, 2019, https://www.era.lib.ed.ac.uk/handle/1842/23509; for Bosnia, see Karem Erjavec and Zala Volcic, “Living With the Sins of Their Fathers: An Analysis of Self-Representation of Adolescents Born of War Rape,” Journal Of Adolescent Research 25, no. 3 (2010), 359-386, accessed October 10, 2019, https://doi.org/10.1177/0743558410361373; and for Sierra Leone, see Myriam Denov, Child Soldiers: Sierra Leone’s Revolutionary United Front (Cambridge: Cambridge University Press, 2010), highlighting similarities of experiences for children born of conflict-related sexual violence across contexts.
linked to their ethnic birth origins whereas for mothers it was linked to their status as victims of sexual violence. Youth reported struggling to belong in a context where they were often intrinsically linked to their perpetrator fathers, and often regarded as ethnically Hutu. Youth sought to understand their mothers’ experiences during the genocide, and their own birth origins, however painful and uncomfortable. These quests for the truth about their origins, their fathers, and their histories are entangled in core tensions in post-genocide Rwanda around past and present, disclosure and silence, family and politics. Knowing what happened to their mothers during the genocide and knowing the identities of their perpetrator-fathers was imperative for youth in trying to understand who they are and how they belong. The trouble, of course, is that their perpetrator fathers are precisely the source of their stigma and rejection, and so, both knowing and not knowing their fathers posed obstacles for youths’ identity and belonging in their social worlds.50

Second, mothers and youth are reluctant symbols of the violent past and the ethnic politics of the genocide. At the level of national politics, scholars have shown how ethnicity continues to matter against state policies of de-ethnicization.51 Ethnic distinctions were unwelcome impositions on youth participants, who had grown up in post-genocide Rwanda where ethnic labels are outlawed. In the context of the RPF’s attempts to “re-educate” Rwandans on their history through local sensibilisation meetings, the ingando solidarity camps,52 formal education in schools, and reconciliation workshops, people know the importance of adhering to the RPF’s official line on ethnicity as a colonial invention that all “good Rwandans” must eschew in the post-genocide period. As such, when others saddle these youth with inherited paternal ethnic identities, the youth are caught in a subject position that puts them at odds with the state narrative which says all citizens are Rwandans, not Tutsi or Hutu. What the experiences of these mothers and youth lay bare is how the legacy of the genocide “catches” these families in old ethnic politics and sometimes imposes Hutu and Tutsi or other ethnically marked distinctions (e.g. “child of interahamwe”) on them. Indeed, interviewees sometimes invoked Tutsi or Hutu labels in describing their experiences – a language largely taboo in “post-ethnic” Rwanda – but they nonetheless relied on to communicate their hardships. While the government’s unity campaign has been heavily critiqued as a mode of silencing political dissent and legitimizing RPF rule,53 it nonetheless produces the narrative of ethnicity Rwandans must adhere to in order to have a place in the larger story of post-genocide nation-building and by extension, to claim to be modern citizens for whom “parochial” matters like ethnicity no longer matter.54 As such, the ongoing significance of inherited ethnic identities for families formed of sexual violence means they struggle to belong not just at the level of kinship and community, but also at the level of the national politics of reconstruction. Youth struggle with the Hutu ethnic identifiers they inherited from their fathers and that make them politicized subjects in their social worlds. And while there is no question many Rwandans resist the RPF’s politics of reconciliation,55 the lives of these youth and their mothers highlight that participants are not only compelled to navigate an imposed political project, like national de-ethnicization, but are, in many ways, excluded from it.

A further complication of youths’ latent Hutu identities in the post-genocide period is that they are not officially considered “victims of the genocide” according to FARG’s criteria for financial assistance. Not only were they born after 1994, but their patrilineal heritage is typically Hutu, not Tutsi, both of which exclude them from survivor status. The state approach to victimhood thus focuses exclusively on direct victims (i.e., those Tutsi who suffered directly from human rights violations), rather than the multifaceted implications of histories of violence that produce indirect

50 See also Eramian and Denov, Always Good to Talk?
51 See Eramian, Peaceful Selves; Hilker, Everyday Ethnicities.
53 Thomson, Whispering Truth to Power.
54 Eramian, Neither Obedient nor Resistant.
55 Thomson, Whispering Truth to Power.
victims (i.e., those who suffer human rights violations as a result of their link with a direct victim). Moreover, children born of the genocide often experience forms of physical violence directly as a result of their birth origins and relations with their perpetrator fathers. Beyond the material consequences of not receiving financial support, the exclusion of children born of genocidal rape from FARG funding not only renders their challenges invisible and leaves their voices unheard, but also serves to perpetuate narratives of restricted victimhood at the state level.

**Conclusion**

As we argue, and as our interviews show, national politics and interpersonal strife intersect in the lives of Rwandan youth born of conflict-related sexual violence and their mothers, in often paradoxical ways that raise complex problems of identity and belonging in their social worlds. Both in Rwanda and elsewhere, identity and selfhood are formed through social relations with others. What this means is that people can never simply choose for themselves who they are and how they belong, as statuses and their accompanying roles are social rather than a mere product of individual choice. However, the post-conflict situation of contemporary Rwanda puts this problem into particularly sharp focus. Even as ascribed statuses are by definition not chosen, that does not mean people cannot still desire greater autonomy in formulating their identities, as is the case when Rwandan mothers struggle against the stigmatized identities the sexual violence of the genocide imposed on them. The difficult position of mother and child-victims of sexual violence during the genocide continues to “catch” them in the politics of the past; “inherited” ethnicity continues to matter in their lives in ways that are difficult to overlook, even as it is deeply impolitic in the context of the RPF’s de-ethnicization campaign.

From an analytical perspective, what the lives of these mothers and children tell us about post-genocide Rwanda is that neither inclusion in nor exclusion from an imposed national project of unity building is conclusively preferable. Post-genocide reconciliation politics are highly constrained, and yet, being a part of them is the only way to “become someone” in the story of Rwanda’s rebirth and reconstruction. In this way, persons and politics are deeply infused with each other in ways that might be both enabling, as RPF unity-building policies align with mothers’ resistance to talking about the past, and constraining, as those same politics entangle families in an outdated view of ethnicity as an inherited property of the self and make them symbolic of the violent past. Mothers’ and youths’ often-incompatible responses to the violent past, ethnicity, and personhood raise important questions about the relationship between everyday social relationships and national post-conflict reconstruction projects. Indeed, the lives of Rwandan families formed from sexual violence show how difficult it is to parse out the level of the everyday from that of national politics, and it is the intricate linkages between kinship, community, politics, and social structure that render the question of what it means to have endured the violence of the 1994 genocide so complicated.

Finally, from a practice-oriented perspective, our findings may provide important insights, both for interventions in the lives of our research participants and for mothers and youth in other cases of conflict-related sexual violence. Scholars have emphasized that children born of such violence have been largely invisible in the development of national and international policies, with some governments actively repressing reports of the phenomenon in their post-war societies. For the most part, policy and protection efforts have centered on women as the victims/survivors of sexual violence and not their children born of sexual violence. This focus has often been implemented with the assumption that the benefits of programs designed for women will inevitably trickle down to their children. However, other researchers and advocates have argued...

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57 Denov et al., *Mothering in the Aftermath*.
59 Eramian, *Neither Obedient nor Resistant*, 635.
60 Carpenter, *Forgetting Children*.
that neglecting the specific dimensions of these children’s vulnerabilities may result in further marginalization and discriminatory treatment.\textsuperscript{62} As such, effective policies and programming would need to both grapple with, and address, the significant tensions and challenges found in this study, particularly, the reality of mothers wanting to embrace silence in relation to the past, and in turn, children wanting to explore the past and the identities of their fathers. Post-conflict service provision and programming would thus benefit from adopting a socio-ecological lens by implementing solutions that go beyond the individual child or mother to include the multiple actors, relations, and networks at play including family, community, policy, and the nation.

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A Lacuna in International Criminal Law?

In the course of human history, humankind has proven to be capable of performing the most horrendous acts towards itself. A locution ascribed to some of the worst of such atrocities is genocide. After the Holocaust, the international community started treating genocide as a substantive crime under international criminal law (ICL) rather than a regrettable consequence of state sovereignty. The crime of genocide is commonly regarded to be positioned at the apex of international criminality; it has been heralded in the jurisprudence of the International Criminal Tribunals as the “crime of crimes.” As such, the crime of genocide currently prevails as a legal label with strong power to condemn and communicate value-based considerations of atrocity, displaying the intrinsic connection between law and politics in ICL.

The crime is defined in Article II of the UN’s Convention on the Prevention and Punishment of the Crime of Genocide (the Genocide Convention). It specifies certain acts intended to destroy, in part or in whole, a national, ethnical, racial, or religious group, as such, are condemned as genocide. The personal scope of application, however, has not always been limited to the enumerated collectives; that was a demarcation made during the Genocide Convention’s drafting process. Thereby, “genocidal” acts, committed with “genocidal” intent, when directed against other groups, such as groups defined by gender, are not considered to be genocide, at least departing from a “formalist,” as opposed to an “instrumentalist,” interpretation of Article II. This creates a discrepancy, perhaps even a lacuna, within the ICL system.

To exemplify the discrepancy, consider the following. A community is suffering from overpopulation. To gain control over its population size, it decides all families may have only one child for a period of time. The imagined community follows a dogmatic interpretation of primogeniture, meaning the child must be male. Consequently, all society-defined female children born during this period must be eliminated. While these circumstances may appear far-fetched, they are at the same time not too far removed from various sex-selection practices of some communities in the world today. The same conduct and intent directed against members of any of the enumerated groups in Article II would, with all likelihood, constitute genocide under international law. In turn, the victims would be labeled victims of genocide. Today, the same cannot be said for the girls in our narrative. Thereby, ICL distinguishes between the collectives and the deaths of their members through legal terminology of inclusion and exclusion. Does this current state of affairs emerge as problematic? Inspired by transnational feminist jurisprudence, this article delves deeper into this inquiry in the way it relates to groups defined by gender. Hannah Arendt explores a similar notion. The following statement can thereby serve as an illustrative point of departure.

If genocide is an actual possibility of the future, then no people on earth [...] can feel reasonably sure of its continued existence without the help and the protection of international law.

To be clear, the purpose of this article is to investigate whether including groups defined by gender, as a protected group in the Genocide Convention, appears legally plausible. There is little sign today that the violent aspects of humankind are less forceful than they were when the Genocide Convention was first drafted in 1948. As such, the need to contemplate the current state of affairs concerning the groups the Convention protects is dire. Thereby, the purpose is, thus, not

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to argue for the extension of the protected groups to encompass the crime of genocide committed in a gender-related manner, but rather to probe the possibilities and problems with including such groups as a protected group pursuant to the Genocide Convention. From the outset, it should be borne in mind there is no common cross-cultural definition of gender. As such, gender’s complex construction as an analytical category is often used with little contemplation and harbors some inherent difficulties. Seeking to remedy this issue, there is reason to further elaborate how gender is understood. This paper begins the longer discussion with a focus on “genocidal” acts against women, with an understanding that future research needs to be done on the implications of other groups defined by gender to the arguments made in the article. Notwithstanding, the conceptualization of gender in this article draws from Iris Marion Young’s notion of “gender as seriality.” Seriality is made up of individuals’ ways of acting or being exposed to others’ actions. The actions, thereby, are directed towards the same object and depend on material surroundings being caused by various structures. In turn, the structures are a consequence of collective actions and practices. Belonging to a series is not a deliberate choice, even if the separate actions in a series take place deliberately. A series is “a social collective whose members are unified passively by the objects around which their actions are oriented or by the objectified results of the material effects of the actions of the others.”6 The view of gender as a “seriality” recognizes the uniqueness of persons in groups defined by gender, such as women, their interests, and the reality of gender hierarchies that surpass the confines of ethnic, cultural, and economic groups. To be specific, Young actualizes the concept of seriality to explain why women should not be presumed to constitute a singular group with common purposes. Yet, this point of departure threatens to lead to political lethargy. If women, or other groups defined by gender, do not share any interests, how can we conceptualize the disadvantages such persons suffer structurally? Young’s response is to view women as a “self-alienated series,” arguing “their womanliness will not be the only thing that brings them together, since there are other concrete details of their lives that give them affinity, such as their class or race position.”7 Hence, it is the concept of seriality that allows us to see women, and other groups defined by gender, as a collective “without identifying common attributes that all women have or implying that all women have a common identity.”8 Consequently, the concept of seriality allows us to see gender might well emerge as a parameter to delineate a group targeted for destruction “as such.”

The Historical Origins of the Protected Groups in the Genocide Convention

During World War II, Raphael Lemkin coined the term “genocide” in *Axis Rule in Occupied Europe.*9 Etymologically, the neologism was a hybrid combining the Greek genos (race, tribe, or nation) and the Latin cide (killing). Prima facie, a verbatim interpretation appears to restrict the ambit of the concept to circumstances involving races, tribes, or nations. Indeed, in *Axis Rule,* Lemkin speaks of genocide as directed against national minorities.10 His conceptualization of genocide was, however, broader. He emphasized that “[i]f the destruction of human groups is a problem of international concern, then such acts should be treated as crimes under the law of nations.”11 In this regard, the concept of genocide was most likely conceived in a similar vein as a proposal Lemkin made in 1933. At that time, he proposed the crime of barbarity, covering acts of extermination perpetrated “out of hatred towards a racial, religious or social collectivity.”12 Following this logic, it is plausible Lemkin did not anticipate the concept of genocide to be limited to a select number of groups. Rather, the object and purpose from his point of view was likely to construct a locution for “actions

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6 Iris Marion Young, “Gender as Seriality: Thinking about Women as a Social Collective,” *Signs* 19, no. 3 (1994), 724.
7 Ibid., 737.
8 Ibid., 714.
10 Ibid.
12 Ibid.
subordinated to the criminal intent to destroy or cripple permanently a human group.” Such a perspective opens up for the inclusion of various human groups, such as groups defined by gender.

The concept of genocide was rapidly incorporated into legal vocabulary after World War II. To counteract impunity for Nazi crimes, the Allied forces held an International Military Tribunal (IMT) in Nuremberg. Pursuant to Articles 6(a)-(c) of the London Charter, the IMT was granted jurisdiction over three separate crimes: crimes against peace, war crimes, and crimes against humanity. Consequently, since it was not a part of the IMT Charter, the locution “genocide” did not appear in the judgments. It was, however, used in the indictments as well as the prosecutors’ closing arguments as an explanatory term. Even though none of the defendants were convicted of genocide in the Nuremberg trials, the judgments did explain acts which today would be defined as genocide. Thus, the early use of the concept of genocide set “the stage for the evolution of genocide into a separate criminal offence.”

After the Nuremberg trials, a US military tribunal which operated pursuant to Control Council No. 10 (CC10) tried Nazi officials. In their jurisprudence, genocide started to materialize as a term with legal substance. Genocide, the Tribunal argued, was “the prime illustration of a crime against humanity.” Consequently, the Tribunal constructed genocide as a subcategory of the broader notion of crimes against humanity. The genocide convictions pursuant to CC10 therefore highlight the transformation of the locution “genocide” from an explanatory concept, to a part of legal terminology in the IMT proceedings, and then to a subset of crimes against humanity.

The end of World War II signaled the onset of the desire to prevent horrendous acts like the Holocaust from happening again, which in turn provided the momentum for international society to make considerable efforts towards unification. This post-war momentum led to the establishment of the UN. The adoption of an international legal instrument devoted to genocide ensued. The UN General Assembly (UNGA) was the first organ to actualize the matter within the new international order, and on December 11, 1946, it unanimously passed Resolution 96(1). The Resolution defined the crime of genocide as “the denial of the right of existence of entire human groups, as homicide is the denial of the right to live of individual human beings.” Notably, the Resolution ascertains that “genocide is a crime under international law [...] whether the crime is committed on religious, racial, political or any other grounds.” Matthew Lippman labels this a liberal conceptualization, with the philosophical underpinning that the use of violence to exterminate groups of human beings, on the sole basis of their affinity to a particular group, is despicable. Such a construction opens for a broad conception of genocide. As a matter of history, the core of the resolution could be extended to encompass gender collectives, apart from the currently enumerated ones. Since the Resolution, coupled with the explicit reference in the Genocide Convention’s preamble, was adopted unanimously and without debate, it is important as a matter of opinio juris. It has even been argued, through the phrasing in Resolution 96(1), other groups can be considered protected by a jus cogens norm, which prohibits genocide.

Resolution 96(1) requested the UN Economic and Social Council (ECOSOC) to prepare a draft convention on the crime of genocide, which in turn, instructed the Secretary-General to perform

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13 Ibid., 147.
16 Ibid., 983.
19 Ibid. Emphasis added.
21 Schabas, Genocide in International Law, 56.
the same task.23 The Secretariat’s Draft was written by the Secretariat’s Human Rights Division, assisted by, \textit{inter alia}, Lemkin himself. The Secretary-General set about drafting a treaty that would, as far as possible, “embrace all points likely to be adopted, leaving it to the competent organs of the United Nations to eliminate what they did not wish to include.”24 The draft convention discarded the residual reference to “any other groups.”25 However, the Secretary-General noted that the list of protected groups was to be considered “not exhaustive.”26 The Secretariat’s Draft thereby gives sufficient leeway in imagining collectives defined on the basis of gender as coherent with the other groupings. Nevertheless, the Secretary-General anticipated which groups to protect would be “the first general question which will have to be settled,”27 thereby identifying the crux of which groups to include as a political dilemma. To deal with these issues, an ad hoc Committee was created.28 Notably, the Committee considered it essentially within the competence of governments to answer the question of “[w]hat human groups should be protected? Should all human groups […] be protected or only some of them?”29 Eventually, the ad hoc Committee settled for the same category of protected groups as in the Secretariat’s draft. The question of whether the enumerated groups were to be considered exhaustive was, however, a matter left undiscussed. The UN’s Sixth Committee drafted the final text of the Genocide Convention, who likely felt it was important to complete the Convention swiftly, “before the memory of the barbarous crimes which had been committed faded from the minds of men.”30 Against this background, the Iranian delegate suggested “adopting a convention embodying all the points on which agreement was possible,” leaving the more cumbersome problems for an “additional convention [to] settle.”31 The draft convention by the Sixth Committee subsequently was unanimously adopted on December 9, 1948 by the UNGA and the same construction applies today.32

The deliberations over which groups ought to be protected should be understood in its broader context. At its inception, it was imagined the spirit of the concept of genocide, illustrated by Lemkin’s own writings and Resolution 96(1), would be applied on a wider scale. During the drafting process, the concept became restricted due to political compromise. Consequently, as constructed today, the scope of protection from genocide under ICL is limited to four “protected groups,” instead of “actions subordinated to the criminal intent to destroy or cripple permanently a human group.”33 There is, thus, an evident disparity between genocide, as Lemkin imagined it, and the Genocide Convention, the latter being considerably more restrictive. It has been questioned whether the drafters were aware of making decisions of legislative character, rather than political ditto.34 In this regard, Frank Chalk and Kurt Jonassohn note “the wording of the Convention is so restrictive that not one of the genocidal killings committed since its adoption is covered by it.”35 Consequently, “the Convention’s list of protected groups has probably provoked more debate since 1948 than any other aspect of the instrument.”36

The Protected Groups
The Genocide Convention does not protect all human groups. As per the definition, the crime of genocide can only be committed against members of national, ethnic, racial, or religious collectives.

\begin{itemize}
  \item \textit{Ibid.}
  \item Schabas, \textit{Genocide in International Law}, 83.
  \item Lemkin, \textit{Genocide as a Crime}, 147.
  \item Nersessian, \textit{Genocide and Political Groups}, 108.
  \item Frank Chalk and Kurt Jonassohn, \textit{The History and Sociology of Genocide} (New Haven: Yale University Press, 1990), 11.
  \item Schabas, \textit{Genocide in International Law}, 117.
\end{itemize}
Thus, interpreting the crime as a departure from a “formalist” interpretation of the provision, genocide cannot be committed towards groups defined by gender. The victims, moreover, must be chosen based on their membership to such a collective with the intent to destroy the group “in whole or in part.” They are in this respect a means to an end.

Given the four enumerated groups are the sole beneficiaries of the protection granted by the Genocide Convention, it could be argued it is regrettable that there is no recognized definition for any of them in the Convention or elsewhere. However, it is near impossible to attribute a distinct meaning to them, as they intersect and overlap significantly. The International Criminal Tribunal for Rwanda (ICTR) Trial Chamber in Akayesu, however, set out to construct objective definitions for each of the four groups enumerated in Article II. To determine whether a group fell within the ambit of the Convention, the ICTR required an “objective evaluation” of the group to see if it fit the scheme of the definitions they posed. The “objective approach” to the protected groups offered by the ICTR in Akayesu was gradually moved away from the jurisprudence of the International Criminal Tribunals. Later judgments employ a leaning towards subjective parameters. The “subjective approach” refers to the perpetrator’s point of view of the victim group. If the génocidaire defines the victim group as one of the protected groups of genocide, the victim group is such a group. The perpetrator’s perspective, thereby, becomes the defining element for the crime of genocide. It is, however, hard to reconcile this rationale with principles of legality. Foreseeability and specificity of criminal conduct are paramount parameters of the principle of legality, and it is difficult to imagine the subjective approach in fulfilling such requirements. Every génocidaire will differ in mind-set and will have a different perspective of their victims. As such, there will be a lack of a uniform measurement of victim groups. Employing a subjective approach is, however, coherent with the sociological processes leading up to genocide. Inherent in every act of genocide is the génocidaire’s prejudice against “the Other” group. The génocidaire identifies, distinguishes between, and stigmatizes the Other. Subsequently, they seek to exterminate it. Within the context of sociology, the stigmatization of other groups is commonly referred to as “othering.” To some extent, through leaning on subjective parameters, this process is transplanted into the context of genocide law. The criticism directed against the subjective approach above, however, appears quite serious. There is reason to be wary of such drawbacks. At the same time, given such stigmatization cannot arise from a structural vacuum, the characteristics of the group can be identified in the penumbra of its sociohistorical context via the subjective perspective.

Protecting Human Groups in International Criminal Law

Dealing with groups in a legal context is arguably more complex than what prima facie may be expected, especially since groups exist without inherent meaning. All content is socially assigned through interpretation and argumentation. In legal discourse, this operation is achieved in the context of “applicable law.” Through legal vocabulary, the theoretical conception of a “group” is diminished to a formal description, stipulating requirements for determining inclusion or exclusion. The description then becomes a vessel for rights and obligations. In turn, such requirements must be applied to the “everyday reality.” Thereby, legal actors, such as judges and prosecutors, take active part in mobilizing specific discursive resources in establishing and creating a sense of legitimacy for the requirements that define the groups.

Forcing human groups into legal conceptions requires cursory understandings of the groups in question. This is sometimes achieved by having group definitions revolve around quantifiable, “objective” markers, as if the groups were material objects. Indeed, that is what the ICTR sought to do in Akayesu. Such mechanisms prevail in the historical precedents of genocide. For instance, in the Nazi practices of extermination during the Holocaust, the Nazis had problems “parsing out a coherent legal definition for the Jewish community or even in identifying its members.” The same difficulties in dealing with “types” of human groups actualize in a legal setting. Nevertheless, the


43 Nersessian, Genocide and Political Groups, 51.
Convention opts for protecting four, clearly delimited, but narrowly construed human groups. The restrictive personal scope of the Convention has sparked critique from scholars as well as practitioners. The criticism often emanates from creative interpretations of the treaty text or finding something new from the travaux préparatoires to solve the faulty Article II. The assertions seemingly aim to reach a predetermined conclusion of including a certain human group. Such an altruistic goal may be commendable. The jurisprudence, however, is not.

In the ICTR, questions dealing with the problem of whether the Tutsi could be considered a protected group pursuant to Article II of the Convention emerged. The Trial Chamber in Akayesu noted it was unquestionably “the Tutsi ethnic group which was targeted” by the Hutu majority government solely because of their affinity to the Tutsi group. The categorization of the Tutsi as an ethnic group emanated from their history of being different from the Hutu created by previous colonial authorities as well as between the Rwandans themselves. This was not sufficient to fit the Tutsi within the scheme of an ethnic group in the sense of the Convention since, turning to the defining characteristics of ethnic groups, it becomes evident the Tutsi and the Hutu who massacred them share many traits. Disregarding the racial, or racist, considerations of the colonial authorities, they share the same language, religion, and essentially the same culture. This prompted the tribunal to scrutinize the theoretical underpinnings for protecting groups “as such.” The tribunal initially sought to establish “objective” definitions of each of the four groups enumerated in the Genocide Convention. Subsequently, the tribunal turned to the travaux préparatoires and determined the common denominator for the enumerated groups was membership, was normally unchallengeable by members, “who belong to it automatically, by birth, in a continuous and often irremediable manner.” By continued reference to the travaux préparatoires, the tribunal took the position that it was “particularly important to respect the intention of the drafters of the Genocide Convention.” This led the Trial Chamber to the conclusion that the drafters’ intention was “patently to ensure the protection of any stable and permanent group.” Accordingly, the Trial Chamber in Akayesu deviated from a formalist reading of Article II and constructed the physical or biological destruction of a group “as such” as genocide, even if a victimized group fell outside the scope of the enumerated groups. That is, insofar the group is stable and permanent. Through an “instrumentalist” approach, the Tutsi was a protected group within the framework of the Convention.

There is reason to approach the jurisprudence in Akayesu with skepticism. The overarching goal with the judgment was likely to expand the groups encompassed by the Convention to fit into an “everyday reality” that had changed since the drafting of the Convention. However, the travaux préparatoires are scarcely so consistent that it is possible to discern just a single intent. Many states took part in the negotiations with many conflicting interests. Moreover, standpoints in treaty negotiations are hardly sources of binding international law. They may provide evidence for opinio juris, but as substantive legal sources, their use is limited. Additionally, recourse to preparatory works of international treaties may be had when the provision “leaves the meaning ambiguous” or “leads to a result which is manifestly absurd.” In the case of the Genocide Convention, this becomes unlikely. Article II encompasses four groups. It would have surely followed from the treaty text if the manifest intent was to extend the protection of the Convention to all stable and permanent groups. If taken seriously, the “stability and permanence” criterion would mean the catalogization of groups in Article II is meaningless. Additionally, arguing for stability and permanence as the sole parameters worth protecting in groups is conceptually confusing. Dialectically, the tribunal argued that group members in a “redeemable manner” could not be “stable and permanent.” Many of the groups enumerated in the Convention do, however, allow redeemable group membership. It is possible to exit a religion. It is possible to terminate nationality. Ethnicity can be achieved through marriage and terminated through divorce.

44 Schabas, Genocide in International Law, 117.
46 Ibid., para. 511.
47 Ibid., para. 516.
48 Ibid.
49 Articles 31 and 32(a)–(b) of the Vienna Convention on the Law of Treaties.
Akayesu is not alone in its attempt to align the formalist “legal reality” with changing discourses of “everyday reality.” Shortly after the creative, instrumentalist interpretation in Akayesu, the Spanish Court of Appeals followed suit and deviated from a verbatim reading of the treaty text in the indictment of Augusto Pinochet. The Court argued that the concept of a national group, as it follows from the Convention, also encompasses political and social groups, and genocide should be approached in “social terms, without any need for a criminal law definition.” From a different perspective, scholars have suggested introducing new victim categories under customary law.

The narrow conceptualization of the protected groups under Article II of the Genocide Convention has thus sparked several arguments for introducing new victim categories within the framework for the crime of genocide. While the arguments may not withstand scrutiny, they highlight that the Genocide Convention is having difficulties answering contemporary challenges concerning the groups it protects in situations where utilizing it appears appropriate. Perhaps, the solution will not lie in extravagant readings of the treaty text or unearthing something from the travaux préparatoires. A more appropriate approach would be to ascertain if there is a more systemically plausible path to achieving these goals. Such an operation first requires disentangling the theoretical underpinnings for including certain groups while excluding others. The idea of expanding the list of protected groups is, however, not novel. It has been proposed that including new groups places a loose lid on the Pandora’s box of protecting human groups, and there is no “logical stopping point” if new groups were added. William Schabas assumes this formalist position, as opposed to an instrumental ditto, noting that the dilemma with introducing new groups is “the difficulty in providing a rational basis for such a measure,” arguing “if one group is to be included, why not the disabled, or other groups based on arbitrary criteria?” One may as well ask the question, “indeed, why not?”

Some parties to the Convention have opted for a wider conceptualization of the protected groups as a matter of domestic law and include any groups defined on any arbitrary criterion. The overarching rationale can be explained by the fact that any arbitrary group could, theoretically, be subject to genocidal extermination; notwithstanding which group this may be, such conduct is abhorrent and the group must be protected. The standpoint does have merit but does not withstand closer examination. Genocide is a sui generis crime, it is entirely unique, seeking to protect the human diversity of groups. To preserve the crime’s standing at the “apex of international criminality,” it cannot have a too wide scope of application. Such an order could effectively render the concept of genocide void of content, a logic that relates to the “expressivist function” of genocide. Legal constructions ought to reflect the broader social and political discourses in which they exist. Thus, there is commendable wisdom in not encompassing all “arbitrary” groups pursuant to the Genocide Convention. It is likely the drafters arrived at the same conclusion, seeing as they opted to enumerate four different groups officially protected from genocide.

The common denominator for the protected groups is that they all reflect different, but important facets of individual identity. Associating with the protected groups can be assumed paramount to the extent the members of the groups should not be forced by means of physical or biological genocide to relinquish affinity to their collective. This analysis is supported by the perception of “human groups” as social constructs rather than scientific, quantifiable items. Indeed, bearing in mind the “subjective approach,” the scientific accuracy is irrelevant in ascertaining the crime of genocide. It is the perspective of the génocidaire that determines group membership. There is no need for the génocidaire to be rational in their targeting for destruction. The sole parameter to
ascertain is whether the perpetrator had a discriminatory intent to exterminate, in part or in whole, a group based on national, ethnical, racial or religious affinity. It matters not that the group can be objectively defined as one of the four groups, or even that the group de facto existed. The legal construction of genocide uses groups as an analytical framework and the group that matters is purely conceptual. The rationale behind the protected groups can be described as the protection of individuals’ right to take part and form a kind of shared and collective existence, be it deliberate or not. Within a legal framework of “applicable law,” this operation becomes simplified, since it is easier to speak in terms of acts directed at “protected groups” in a court of law rather than acknowledging the groups we speak of do not exist, but only as impromptu constructions. As such, they become symbols for transgressions of intrinsic values of human life. The legal construction of the “protected groups” can therefore be perceived as a proxy for the rights of individuals to engage, or be coded, in different types of collectivity with freedom from being subject to genocidal acts. Hence, the “crime of genocide” is best understood as an instrument which ascertains these imperative rights of individuals through taking care of a particular group. The systemic order can be compared to the international human rights regime, where individual rights are of principal importance. The human rights system, on the other hand, rests on the premise that group rights are ascertained through individuals. Given the Convention’s protected groups build on the effective exercise of human rights that can only be coherent in communion on a collective scale, it is plausible the Genocide Convention follows a similar logic.

With this foregoing as a backdrop, we now employ the interpretative canon of ejusdem generis, meaning “of the same kind,” to analyze if the conceptual parameters of inclusion can be extended in a similar manner to groups defined by gender, or if they are unique to the groups enumerated. The underlying premise is if such groups are of a similar kind, then including them within the Convention’s legal protection under the same framework may appear plausible. Groups defined by gender are highly volatile and temporal. Although used in reference to exclude political groups, stability and permanence cannot adequately justify the inclusion of groups in the Genocide Convention. Not all the enumerated groups are stable and permanent. Indeed, the conceptualization of groups defined by gender intersects largely with how ethnical and racial groups are constructed. The concept of ethnicity connected to a common language or culture, whereas the concept of race to a criterion of “hereditary physical traits.” Groups defined by gender can be perceived as an amalgamation of these conceptualizations, a socially constructed label, influenced by social and cultural preconditions. This similarity is mirrored in other aspects of ICL. Similarly, to the enumerated groups, belonging to a group defined by gender can be assumed as an intrinsic value of social existence, an important facet of individuality. Such a resemblance is reflected within the scheme of international human rights law. Since genocide has been perceived as the “ultimate crime and the gravest violation of human rights it is possible to commit,” such a comparison is relevant. The enumerated groups can all be characterized by the rights granted through membership; that is, the right to existence is the property of a group member, be it on the basis of nationality, ethnicity, race or religion. The rights of groups defined by gender follow a similar rationale; all the major international human rights treaties prohibit discrimination based on gender and/or sex, beyond the four enumerated groups. Genocide and gender-specific genocide focus on the physical or biological destruction of a particular group. As such, they will always deal with the most severe infringements of fundamental human rights. It is crucial not to exaggerate this

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aspect, however. It is not the transgression of these rights per se that merits the label “genocide.” Apart from the individual rights, genocide violates the group’s right to existence. Nonetheless, the protected groups depart from a perspective where paramount collective rights are transgressed through serious personal violence, which may necessitate treating the encroachment as genocide.\footnote{Nersessian, \textit{Genocide and Political Groups}, 80.} It is on the aforementioned substantive fundamental rights in which the protected groups build on, and the rights apply equally to groups defined by gender. Hence, the continued exclusion of gender from the Genocide Convention appears disparate with the international human rights structure. If other groups similar to such groups have a right to existence, together with a right not to be refused that existence, groups defined by gender must do too.

Often, complexities emerge in determining whether the targeting of a group builds on the traits of any of the enumerated groups, gender traits, or if it is a hybrid. Yet, the subjective approach merely requires the genocidal acts be essentially based on any of the enumerated traits. To that end, a gendered aspect of genocide is simply sorted away as legally irrelevant. Under these circumstances, a perpetrator can claim a genocidal act was committed on gender-specific basis as a viable defense for the crime of genocide. Thereby, the current construction of the protected groups favors gender discrimination over, for instance, religious discrimination. In a similar manner, surely, the current structure of the convention may, for example, take on gendered dimensions by preventing births or rape within an overarching group. Such arguments appear when we turn to historical genocides. For instance, the notion that the Tutsi or Bosnian Muslim groups were partly destroyed through rape because the rape victims (who were women) would be excluded from the collective appears to crystallize traits which undoubtedly oppress women inside the group. The assumption is the dissolution of the target group is, in part, the result of an internal process where group members take part in their own destruction. This is achieved through the belief of a gender \textit{vis-à-vis} gender antagonism that augments the scheme of the \textit{génocidaires}. To hold such traits as natural truths of ethnicity render them invisible and makes them harder to contest, as a consequence of being incorporated into the narrative of victimization. The incorporation may oversimplify, and even caricature, ethnicity and gender alike, through constructing Bosnian Muslim and Tutsi men as inherently prone to excluding rape victims.

Drawing from this analysis, it could be argued that the current scheme of the convention is disparate with the commitment “to promote social progress” as a cardinal value and specific purpose for the UN as an institution, especially since it is through legal instruments this value is to be realized.\footnote{The UN Charter preamble, para. 3.} If the UN’s underlying engagement to “international social justice,” argued to form the “essence of public international law in the second half of the 20th century,”\footnote{Rudolf Bernhardt, \textit{Encyclopaedia of Public International Law} (New York: North Holland, 1993), 252–262.} is to be taken seriously, there is an urgent need to consider how groups defined by gender fit within this structure. The analysis shows gender collectives are of a similar kind to the existing protected groups. Consequently, it would not be out of place to extend similar treatment to groups defined by gender in the context of genocide.

Groups defined by gender have been subject to genocidal acts like few other collectives. There is a plethora of historical examples of gender-specific genocides. Witch-hunts in Early Modern Europe, widow burning (sati), female feticide, dowry deaths, the Massacre of Bangladesh men in 1971, and maternal mortality are all examples of where gender-specific elements have been highly prevalent in situations of mass killings.\footnote{Gendercide Watch, “History of ‘Gendercide’,” accessed May 3, 2019, \url{http://www.gendercide.org/what_is_gendercide.html}.} Gender-specific genocides are thus a historical reality and seem to cry out for the application of the Genocide Convention. Such an assertion does not mean other, non-enumerated groups are subordinate to such groups. Other collectives may fit the theoretical underpinnings of protecting certain human groups from genocide as well. Surely, the political realities of reopening the convention would be difficult. Although, the fact that other human groups may be equally appropriate candidates should not hamper the overarching discussion as it relates to groups defined by gender, which is the focal point here. Ascertaining
eligibility for other groups is a different question and is not relevant for the issue of gender in relation to genocide.

**Crimes against Humanity – an Adequate Proxy?**

The following section asks whether gender-specific genocides have been appropriately responded to under existing substantive crimes under international law. In this regard, Schabas argues that atrocities committed “against groups not covered by Article II of the Genocide Convention are adequately addressed by other legal norms, in particular [...] crimes against humanity.”

Genocide and crimes against humanity can be perceived as sister crimes. Both infractions were construed against the historical backdrop of the Nazi acts of extermination during the Holocaust. The two crimes currently have diverging *raisons d’être* and protect different values. A widespread or systematic attack on a gender group, because the members belong to that group, amounts to crimes against humanity. That is very different from an attack on a gender group because the members belong to that group paired with the intent to destroy the gender group “as such.”

National, ethnical, racial, and, religious groups are all protected from crimes against humanity, as well as the crime of genocide. In case groups defined by gender are subject to genocidal acts, only crimes against humanity can be applied, since there is no parallel crime for genocide committed based on gender. Making references to crimes against humanity as a surrogate for a gender-specific genocide risks an inadequate reflection on the content of the criminal categories. The socially constructed label of a crime, to which the criminal conduct is attached, ought to mirror the culpability and seriousness of the offence appropriately. Genocides will often satisfy the requirements for crimes against humanity. The same cannot be said for the reverse, because of the *dolus specialis* of genocide. Constructing a gender-specific genocide as a crime against humanity does not demarcate the perpetrator’s overarching and specialized intent to destroy a specific group “as such,” which really is far more culpable. A perpetrator of crimes against humanity aims to murder, whereas a génocidaire aims to destroy a certain group. The construction of genocide is thus more specific in terms of *mens rea* in comparison to crimes against humanity. The same can be said for the prohibited acts of genocide. Only five specific acts can be qualified as genocide. Crimes against humanity could surely encompass those acts but would not be limited to them. The specificity which the legal label of genocide offers is thus far more complete in describing gender-specific genocidal conduct.

From a different perspective, labeling gender-specific genocide as crimes against humanity confuses the personal scope of the crimes. While crimes against humanity are prohibited as a type of persecution against the individual attacked, genocide is the opposite. Genocide is fundamentally an infraction directed towards groups, and the criminalization thereof ascertains protection for certain groups from physical and biological destruction. Crimes against humanity encompass violations of fundamental rights on an individual basis. In the case a “group” is covered by crimes against humanity, is purely ancillary to the individual. Therefore, crimes against humanity are unable to adequately describe attacks against groups.

The way we label crimes has a deeper meaning than solely relating to parameters of culpability of the crime. It also expresses a form of hierarchy between the core international crimes, communicating the severity of one crime in relation to the others. Genocide stands at the “apex of international criminality.” It is imagined to be the most heinous crime possible. The moral condemnation implied with the locution “genocide” is far more serious than any other international crime. The hierarchy among the international core crimes is less acute for national, ethnical, racial, and religious groups. Both criminal constructions can be applied in a parallel manner. As a matter of criminal cumulation, a perpetrator can be sentenced for genocide as well as crimes against humanity. This renders courts capable of distinguishing between attacks directed towards

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65 Schabas, *Genocide in International Law*, 171.
individuals on a widespread and systematic scale, and conduct intended to exterminate groups of individuals. They can, therefore, pass judgments that more accurately describe the nature of the conduct, when directed towards any of the enumerated groups. Genocidal acts directed towards groups defined by gender, however, either are constructed as the inferior transgression crimes against humanity or fall outside the ambit of ICL completely. At their core, genocide and crimes against humanity are two separate offences dealing with different issues. The current scheme of the protected groups in the Genocide Convention communicates a value-based signal regarding which groups are worthier of protection from the worst kind of criminality. Dialectically, it expresses the worth of groups defined by gender in relation to the four enumerated collectives in Article II. Essentially, the Genocide Convention is a bearer of symbolic values. As such, the way we construct legal categorizations is of paramount importance. It is possible to describe the Armenian Genocide and the Holocaust as episodes of “mass killings.” That categorization, however, would be unsuccessful in capturing the whole picture of the atrocities. The same applies to gender-specific genocides. There is wisdom in communicating a total recognition of criminal conduct. A similar rationale spurred international society to construct genocide in the first place.

Given gender-specific genocides have existed historically, the omission to cover gender-specific genocides from genocide has factual ramifications. As a matter of de lege lata, there is no specific expression that groups defined by gender are warranted protection from physical and biological destruction “as such.”

The omission to protect from gender-specific genocides in the Genocide Convention entails a strange systemic application of ICL. Returning to the narrative in the introduction, through a formalist interpretation of Article II, the murdered daughters are, at best, currently labeled victims of crimes against humanity. If the imagined community instead adopted a policy of infanticide towards babies who bear certain “hereditary physical characteristics,” we label the babies killed victims of genocide, since they would be constructed as a part of a racial group. The labels convey for us, the international society, and the future, that the babies of the racial group symbolize something bigger, namely genocide directed towards the “racial group” itself. The murdered daughters, on the other hand, do not qualify for that symbolic treatment. The destruction of women more broadly is left unnoticed by ICL.

A Space for Gender in the Genocide Convention?
The continued omission of gender-specific genocides within the ambit of the Genocide Convention ought to, from today’s perspective, be characterized as a choice. Ultimately, the current construction, the “choice,” relates to the junction between formalism and instrumentalism. Instrumentalism and formalism signify two opposite sensibilities of what it means to be an international lawyer, and two cultures of professional practice in the ICL sphere; which relates to the question of whether legal philosophy should assimilate ethical standards or confine itself to an analysis of black letter law. Systemically, the Genocide Convention’s construction of the protected groups in Article II is “formalist” in the sense of proposing a certain a priori formal matrix of social space; it leans on a token ahistorical formal framework defining the legal terrain within which an open and endless game of contingent inclusions and exclusions occur. Yet, the notion of genocide is not predetermined; what it will mean, what this term will include, and what it will exclude (that is, to which extent women, gays, trans people, and so forth, are included or excluded within its structure) will always be the result of contingent hegemonic struggle. This highlights that the Genocide Convention, in reality, is an empty signifier which emerges as a battlefield for hegemonic interests, that does not seek to reach some fixed content as its ultimate point of arrival, but only has itself as an objective, demarcated by the empty signifier that is genocide. While the formalist jurisprudential culture in the Genocide Convention may not be adverse per se, it risks giving the appearance of the content in the instrument, that is, the Genocide Convention, as determinate and


71 Ibid., 90, 110.
Groups Defined by Gender and the Genocide Convention

ahistorical when it is not so. Rather, an empty signifier with no determinate meaning signifies only the existence of meaning in itself, instead of absence thereof.\textsuperscript{72} Seen from this perspective, the crime of genocide is an institution that has no definite, determinate function, but only a negative one of expressing the actuality of the institution as such, instead of its non-existence. Following a Hegelian logic, such a rationale can be characterized as a direct embodiment of the ideological function of painting a “neutral” picture within which all social antagonism has been wiped out. The current construction of the protected groups therefore appears to express a position of which groups that are politically warranted protection “as such.” Thus, the interest of protecting groups defined by gender from physical and biological destruction is not considered politically motivated. This is, however, not a static position, but instead, politically changeable. After having analyzed this, potential ramifications emanating from the current construction of the crime of genocide can now be discussed. The underlying premise is that the issues emerge as problematic in the sense they provide support for the claim that the Convention is unnecessarily narrow concerning the groups it grants protection; in particular with groups defined by gender. Thereby, by virtue of their existence, the problems enable a hypothetical inclusion of groups defined by gender as protected to appear theoretically plausible. This approach does not carry the pretense that what is needed is to construct additional policies and rules. Rather, it seeks to contribute to a better understanding of what transpires beneath the façade of the implementation and application of Article II of the Genocide Convention.\textsuperscript{73}

Simply expanding the Genocide Convention is problematic. Indeed, “[d]iluting the definition, either by formal amendment of its terms or by extravagant interpretation of the existing text, risks trivializing the horror of the real crime when it is committed.”\textsuperscript{74} This is a legitimate apprehension. Stuart Stein opines that the analysis of scholars probing “other-cides” “is often directed toward, or ends with, establishing that the mass killing cluster under consideration meets the definitional parameters of genocide, however defined.”\textsuperscript{75}

As indicated above, the article does not seek merely to establish such genocidal credentials. The backdrop produced here attempts to highlight that the omission of protect groups defined by gender under the Genocide Convention is an unreasonable restriction. The definition of a gender-specific genocide elaborated herein deviates from the definition of the crime of genocide in only one aspect; in terms of the protected groups. The analysis is faithful to the core concept of genocide and advocates the application of genocide only in its prototypical meaning, to cover acts intended to destroy a human group “as such.” The article thereby joins the scholars, arguing that the failure to encompass groups other than the four enumerated has caused the Convention to become “conceptually confused.”\textsuperscript{76}

It is a common argument that too wide a conceptualization of genocide may diminish the value-based signals the crime sends. However, the very same danger to the legitimacy may emerge if the construction is too narrow in its scope. If that is the case, the construction runs a risk of undermining, what Dianne Marie Amann calls, the expressivist function of criminalizing genocide, given that legal constructions reflect the broader social and political discourses in which they operate.\textsuperscript{77} As such, it is of paramount importance that the way genocide is judicially constructed corroborates with the social and political reality in which it exists. Should there be a discord, the crime risks losing legitimacy as it may be viewed as outdated and arbitrary. Thereby, the argument that the drafters of the Genocide Convention wanted to encompass “national minorities,” and the enumerated groups are different faces of that concept, must be disregarded. Even if the drafters wanted to protect national minorities, the intention of the drafters almost seventy years ago cannot justify the choices we make concerning the crime of genocide today. Referring to intellectual

\textsuperscript{72} Ibid., 113-115.
\textsuperscript{73} Martti Koskenniemi, Critical Research in International Law, 730.
\textsuperscript{74} William Schabas, Genocide in International Law, 133. See also Amann, Expressivism, 95.
\textsuperscript{75} Stuart Stein, “Geno- and Other Cides: A Cautionary Note on Knowledge Accumulation,” Journal of Genocide Research 4, no. 1 (2002), 44.
\textsuperscript{76} Lippman, Fifty Years Later, 505.
\textsuperscript{77} Amann, Expressivism, 93.
distinctions on a theoretical level obscures the fact that the question of which groups to protect is, essentially, a political one. Genocide instrumentalizes values and interests sustained by beliefs about the world. It is problematic when the values and interests allowed to permeate the Genocide Convention are in divergence with those expressed in the contemporary world.

Notably, as times change, “reality” and discourses regarding what is worth protecting change too. It is understandable why groups defined by gender were not included at the drafting of the Convention. Post-World War II, the concepts of gender equality, gender discrimination, and gender per se were not widely regarded as interests worthy of protection within the international society. However, current discourses in international law are not equally lethargic towards gender issues. As stated previously, all major human rights treaties cover sex and/or gender. The current construction of the protected groups can therefore be said to be incompatible with the international human rights system. The important point to draw here is the inclusion of groups defined by gender in the international human rights system which underlines political ambition to combat gender-based discrimination. It is reasonable to assume that such political will to protect such groups from genocide also exists. There is thus a clash between the interest of combating gender-based discrimination on a genocidal level and the interest of states to limit the erga omnes obligation of genocide. The solution to this clash between political impetus and the state reluctance, because of the erga omnes obligation, lies in the “expressivist” function of genocide. For the crime to retain its legitimacy, it must fit changing social and political trajectories. Thereby, it is necessary to calibrate the crime of genocide in relation to changing discourses, so they corroborate, inasmuch it is possible, to ensure the credibility of the judicial construct is preserved. There is reason to believe that the inclusion of groups defined by gender as protected under Article II could support such an undertaking. Against this background, we can now turn away from the more overarching questions and discuss the current state of affairs of the protected groups as it concerns groups defined by gender more concretely.

The current construction of the protected groups provides support for the claim that the ICL system is substantively gendered. Fundamentally, the issue of gender-specific genocide often concerns women’s rights and women’s right to existence.\(^78\) The contemporary genocide discourse thus renders this “women’s issue” unworthy of protection. Thereby, it brushes aside the narratives of atrocities suffered by women. In that, it provides proof that the ICL system is gendered by being based on the realities of male lives.\(^79\) The groups worthy of protection in the Genocide Convention are gendered to suit atrocities that have befallen men. The ICL system, and the canon of protected groups in the Convention, is the creation of human beings, with its ultimate concern being individual behavior. It is thought of in terms of a neutral construction that is to be equitably applied, or as a rational institute, but it is not so. ICL is imbued by the choices between contesting values and policy interpretations. The absence of women in genocide law produces a narrow and insufficient jurisprudence that legitimizes the unequal position of, for instance, women worldwide rather than facing it. In consequence, the experiences of women are denied access to the continued shaping of ICL, its aims, and its content. If one believes such an order is politically and morally cumbersome, constructing groups defined by gender, as a protected group within the Genocide Convention, could serve as a first step in combating such structures. Resolving these issues should not be faced with overconfidence to the effects of policy changes. A legal construction which accounts for the experiences of women facing such atrocities does not automatically mean that marginalized groups defined by gender have gained access to the ICL system on a larger scale. Rather, a more acute perception would be which interests are allowed to permeate the types of people regarded as worthy of protection in a legal discourse. These problems go beyond how policies are phrased.

As touched upon previously, the current legal architecture of the protected groups in the Genocide Convention highlights the tension between formalism and instrumentalism within ICL.


The schism is important in answering what the crime of genocide, and more broadly ICL, is for. In this regard, Martti Koskenniemi notes,

> [f]rom the instrumental perspective, international law exists to realise objectives of some dominant part of the [international society]; from the formalist perspective, it provides a platform to evaluate behaviour, including the behaviour of those in dominant positions. The instrumental perspective highlights the role of law as social engineering; formalism views it as an interpretative scheme.\(^{80}\)

The current order in the international society “is not one of pre-established harmony or struggle but of both cooperation and conflict simultaneously.”\(^{81}\) Thereby, “[a] form and a process is needed that channels interpretative conflicts into peaceful avenues.”\(^{82}\) There are substantial problems inherent in pragmatic instrumentalism. There is the extreme case of the “war against terrorism to canvas the slippery slope from anti-formal reasoning to human rights violation.”\(^ {83}\) As such, it seems appropriate to opt for a prevailing view of legal formalism instead of an instrumental ditto.

The prevalent formalist conceptualization of the crime of genocide can thereby be understood as a form of protection from the imposition of objectives of some dominant part of the international society. However, a too formalist approach is a recipe for indifference and may risk making the judicial construction outdated. Formalism needs to be followed with a waking appreciation of its political underpinnings. There is, thus, reason to move beyond the dichotomy of formalism vis-à-vis instrumentalism to strike a balance between the different interests that ICL represent.\(^{84}\)

A starting point for such a quest could be to recognize ICL as a political project, acknowledging openly the battle for hegemony.\(^{85}\) Inherent is thereby the realization that there is no fixed set of objectives, purposes, or principles that can be unearthed externally from ICL in itself.\(^{86}\) Instead, these objectives cannot be anything than those of different legal actors with different hegemonic quests. ICL, and particularly the crime of genocide in international law, is an instrument; yet, as an instrument it cannot be considered in isolation, set apart from the political processes of which it is a complex part. That is why the objectives of ICL and its criminal constructions, moreover, is ICL in itself; and as a promise of “justice.” ICL and justice are connected in the conduct of legal actors, “paradigmatically in the legal judgment.”\(^{87}\) The judgment, however, is insufficient to bridge positive law and justice. Therefore, in the rift between ICL and justice lies the inevitable realm of politics law. It must be so, or else law becomes sheer positivity. That is why the question whether including groups defined by gender under the Genocide Convention is theoretically plausible should be addressed for what it is. It is not about objectives from diplomatic instruments, it is a question of political struggle. Hence, the true inquiry becomes, is it politically motivated to protect groups defined by gender from genocide?

**Concluding Remarks**

The Genocide Convention acknowledges some facets of collective life are constitutional for human identity to the extent freedom from physical and biological destruction is warranted to ensure their existence “as such.” At its core, ICL is a consent-based system. Its survival is dependent upon states accepting not only its jurisprudence, but also the moral and political ramifications thereof. The concept of a gender-specific genocide, and its interconnectivity with genocide, ostensibly emerge as problematic for international society as a whole and ICL in a systemic manner. The complexities


\(^{81}\) Ibid., 249.

\(^{82}\) Ibid.

\(^{83}\) Ibid., 249–250.


\(^{86}\) Ibid., 263.

\(^{87}\) Ibid., 263-264.
surfaced here are of a wholly political character. That is not inherently detrimental, but ICL should be responsive enough to handle contemporary challenges. If it does not, it runs the risk of throwing a shade of illegitimacy over the entire system. In the same way the criminal label “murder” cannot accurately communicate the atrocities of the Holocaust, it cannot accurately describe a gender-specific genocide. This should not be interpreted that introducing a “new” crime of gender-specific genocide would be a panacea for such dilemmas. Even though a gender-specific genocide fits the theoretical underpinnings of international criminal regulation, these issues should not be tackled with over-confidence to the effects of policy changes. A construction that accounts for the reality of such conduct does not automatically render the issue of gender-specific genocides resolved. ICL is an insufficient system to cure all the woes in the world. Nor should it be expected to be able to do so. The law, and perhaps especially ICL, will always provide inadequate tools for dealing with genocide. Indeed, in the words of Arendt, “for these crimes, no punishment is severe enough. It may as well be essential to hang Göring, but it is totally inadequate. That is, this guilt, in contrast to all criminal guilt, overshadows and shatters any and all legal systems.”

Notwithstanding the imperfections of ICL, there is reason to do something rather than nothing. Apathy, too, takes its toll. The omission to protect groups defined by gender from genocide is a choice. This political choice is purchased at the cost of lost legitimacy of ICL. That, as it stands today, is a price it cannot afford to pay. Returning to the narrative in the introduction, legal terminology of inclusion and exclusion transforms and renders the victim group less worthy of protection than national, ethnical, racial, and religious groups. The attack on the group, the girls of the community, remains unseen. In the end, the omission to protect such groups from genocide represents a lacuna within ICL. If one believes this lacuna ought to be filled, an inclusion of groups defined by gender as protected in the Genocide Convention appears theoretically plausible. After all, to quote Lemkin, “if the destruction of human groups is a problem of international concern, then such acts should be treated as crimes under the law of nations.”

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Chomsky and Genocide

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Introduction

Avram Noam Chomsky (1928–) may be the most prominent and significant public intellectual of the post-World War Two period. His contributions to linguistic theory continue to generate debate and controversy. But two generations know him primarily for his political writings, public talks, and other activism, voicing a left-radical, humanist critique of US foreign policy and other subjects. Works such as American Power and the New Mandarins (1969, on Vietnam and US imperialism more generally), The Fateful Triangle: Israel, the US, and the Palestinians (1983), James Peck’s edited The Chomsky Reader (1987), and 1988’s Manufacturing Consent: The Political Economy of the Mass Media (co-authored with Edward S. Herman) hold a venerated status for leftist/progressive readers. His mini-book 9/11, published in the wake of the 2001 terrorist attacks on New York and Washington, became a surprise bestseller (over 115,000 copies shipped in the first six months).1 A handful of widely-seen documentaries have further spread his renown.2

Given the centrality of a human-rights and mass-violence critique in Chomsky’s political output, as well as its voluminous quantity over fully half a century, it is appropriate to inquire about the place of “genocide”3 in his analysis. After encountering some scattered mentions in his books and published interviews over the years, I resolved to undertake such an inquiry. My interest was further piqued when I realized that genocide, though marginal to Chomsky’s critique, is touched upon in literally dozens of his books, as well as other writings and interviews available (and searchable) online. Its treatment is usually passing and fragmentary, but from these fragments, a composite portrait can be assembled of the deployment of “genocide” in Chomsky’s extensive canon.

I approached my task by searching for appearances of “genocide” and “genocidal” in the digital texts of 61 books by or featuring Chomsky (sometimes edited by others). At least one of these terms appeared in roughly two-thirds of the volumes, though some of these were repeated/reprinted materials. I also conducted a separate search for “holocaust,” to arrive at an understanding of how Chomsky deploys both the Jewish Holocaust and the generic label “holocaust” in other contexts. With the exception of the Chomsky/Herman pamphlet, Counter-Revolutionary Violence: Bloodbaths in Fact and Propaganda (1973, subsequently withdrawn and suppressed by the publisher),4 all quotes from digital sources that were not facsimiles of a printed edition were cross-checked against the printed versions, and the latter are the page references supplied. Some additional comments were found in online sources, especially interviews with Chomsky, and these are cited in the notes.

The key questions to be addressed here include: How does Chomsky define, understand, and criticize “genocide”? How does his interpretation compare with the legal definition in the UN Genocide Convention, and framings in comparative genocide studies? Which historical and contemporary cases does he consider to be emblematic or paradigmatic of genocide? Are ambiguities, hesitations, and inconsistencies evident in his use of the term? And how does the language of “H/holocaust” figure in his discourse?

Several caveats are in order. First, although I have delved deeply into Chomsky’s published output on political themes, this study does not constitute a formal, statistically-guided content...
analysis. Rather, my approach is qualitative, seeking to discern a range of regularities (and some irregularities) in Chomsky’s references to “genocide,” from his earliest essays to recent times. The intention is to provide an overview of how an iconic public intellectual has engaged with one of the iconic concepts and issues of the age.

Second, some of Chomsky’s output is coauthored, most notably with Edward S. Herman (to whose separately coauthored volume, The Politics of Genocide, Chomsky contributed a highly relevant foreword) and the Israeli scholar Ilan Pappé. Importantly, both these authors seem substantially more disposed than Chomsky himself to use the “genocide” term and framework. In the latter case, I have excluded passages from coauthored volumes where the usage clearly originates with Pappé. Such distinctions are harder to draw with the Chomsky/Herman coauthored works, notably the two-volume Political Economy of Human Rights (comprising The Washington Connection and Third World Fascism and After the Cataclysm) and the book that, probably more than any other, is associated with Chomsky: Manufacturing Consent.

Third, Chomsky has over the years been the subject of controversy for stances taken with regard to Holocaust denialists’ right to free speech (most notably in the “Faurisson affair”), the Khmer Rouge genocide in Cambodia, the genocide of Rwandan Tutsis in 1994. I played a part in the last of these, but in the present context, I am interested in them only insofar as they generated statements and written passages by Chomsky that are directly pertinent to this analysis.

Lastly, I should acknowledge a longstanding personal relationship with Chomsky, extending back to my first reading of his work in the mid-1980s and subsequent correspondence with the author. My first published book, Beyond the Barricades, was dedicated to him, and I have regularly acknowledged him in print as a formative intellectual and moral influence. My correspondence with him lasted for roughly a quarter-century, including dozens of exchanges. (There is nothing very unusual about this: Chomsky is famous for engaging in written exchanges with mostly ordinary individuals worldwide.) In 1990, I met and interviewed him at his office at the Massachusetts Institute of Technology and was invited to a meeting of activists at his home in Lexington, Massachusetts, where I also met his late wife Carol. I worked alongside Chomsky’s daughter, Diane, in Managua while conducting research at the offices of the Sandinista paper Barricada for my M.A. and Ph.D. theses, which formed the basis of the Beyond the Barricades volume.

This article is therefore unlikely to be a hit-piece of the kind that others have regularly crafted to attack Chomsky—but neither is it a hagiography. In strongly criticizing Edward Herman’s coauthored The Politics of Genocide for its reprehensible denial of the Tutsi genocide in Rwanda, I have also decried Chomsky’s decision to attach a foreword to that book, and I offered advice and guidance to two critics (Roland Moerland and George Monbiot) in their extended correspondence with him on the subject. I hope a critical approach will be evident in my observations here, but if I have overlooked any notable elements—whether because of my political and personal sympathies for Chomsky, or through deficiencies of insight and observation—I welcome contributions and corrections by others. My thanks to Melanie O’Brien and Jo Jones for feedback and proofreading.

11 Moerland’s correspondence with Chomsky about the Rwandan genocide was posted to his blog, but that blog (rolandmoerland.blogspot.ca) appears to have been taken down. Monbiot’s “Correspondence with Noam Chomsky” can be found at http://www.monbiot.com/2012/05/21/2181/ (accessed March 23, 2019). See note 69, below.
Defining “Genocide”

Given that the term appears regularly in his output, with both support and criticism for its usage, Chomsky has engaged with the “genocide” concept surprisingly rarely – perhaps mainly when prodded to do so by interviewers such as David Barsamian, or by a collaborator’s solicitation (I am thinking of Chomsky’s foreword to The Politics of Genocide). Given the ambiguities and (as I will show) inconsistencies that arise in his deployment of “genocide,” his definition and understanding of the concept must be inferred rather than simply cited.

Some of his most detailed and intriguing comments on the subject came in an interview with Barsamian, a community-radio figure whose conversations with Chomsky have formed the basis of numerous books. The relevant passages appear in the UK edition of Class Warfare:

Barsamian: I know on Bosnia you received many requests for support of intervention to stop what people called “genocide.” Was it genocide?
Chomsky: “Genocide” is a term that I myself don’t use even in cases where it might well be appropriate.
Barsamian: Why not?
Chomsky: I just think the term is way overused. Hitler carried out genocide. That’s true. It was in the case of the Nazis—a determined and explicit effort to essentially wipe out populations that they wanted to disappear from the face of the earth. That’s genocide. [Note: all emphases are added.] The Jews and the Gypsies were the primary victims. There were other cases where there has been mass killing. The highest per capita death rate in the world since the 1970s has been East Timor. In the late 1970s it was by far in the lead. Nevertheless, I wouldn’t call it genocide. I don’t think it was a planned effort to wipe out the entire population, though it may well have killed off a quarter or so of the population. In the case of Bosnia – where the proportions killed are far less – it was horrifying, but it was certainly far less than that, whatever judgment one makes, even the more extreme judgments. I just am reluctant to use the term. I don’t think it’s an appropriate one. So I don’t use it myself. But if people want to use it, fine. It’s like most of the other terms of political discourse. It has whatever meaning you decide to give it. So the question is basically unanswerable. It depends what your criteria are for calling something genocide.12

A number of insights can be gleaned from this exchange. The first is Chomsky’s obvious hesitation and skepticism with regard to the “genocide” label – not least because of its vagueness and imprecision (“It has whatever meaning you decide to give it”), as well as its politicization, a subject I explore in detail later.

To highlight some key vocabulary in Chomsky’s comments, he appears to assert that genocide represents a “planned,” “determined,” and “explicit effort” to exterminate (“wipe out”) given “populations” whose “disappear[ance] from the face of the earth” perpetrators hold to be desirable and/or necessary. His deployment of Nazi genocide grants it primacy, perhaps uniqueness in the historical record, though as we will see, one other clear-cut case of genocide is regularly mentioned in Chomsky’s work, and others are cited with qualifications.

Notable as well in the passage is Chomsky’s distinction between “genocide” and “mass killing,” with East Timor and Bosnia cited as examples of the latter. What distinguishes them, apparently, is the quantitative scale and totalizing exterminatory character of the genocidal enterprise. Chomsky’s framing is thus in line with the “hardest,” meaning most restrictive and exclusionary, of genocide definitions in the existing scholarship.

To flesh out Chomsky’s understanding, it is worth citing statements included in a CityTV-Toronto news report on protests by Cambodian refugees against one of his speaking appearances. Chomsky referred to “the standard picture in the media” that the Khmer Rouge, under Pol Pot’s leadership, “had taken credit for – had boasted, in fact – of having killed two million people in

a unified, mass genocide campaign.” In Chomsky’s framing, the word “unified” seems to buttress the “planned”/centrally-directed aspect of true or full genocide, while the “mass” also hints at its totalizing, or at least extremely largescale character. In this context, note also Chomsky’s qualification of the East Timor atrocities in *Turning the Tide*. As we will see, Chomsky cites the Indonesian mass killing in Timor as perhaps the closest post-World War Two parallel to Nazi genocide, but adds that “some barriers were placed in the way of the consummation of genocide” – again suggesting that genocide, to qualify as such, must be “consummated,” i.e. fully or nearly-fully exterminatory.

In addition to meshing with more limited and exclusionary framings of “genocide,” Chomsky’s totalizing emphasis is at odds with the definition advanced in the 1948 United Nations Convention on the Prevention and Punishment of the Crime of Genocide, with its well-known but imprecise phrasing of “destruction … in whole or in part.” On at least one occasion, in *For Reasons of State*, Chomsky has acknowledged the distinction. Stating that “some may be reluctant (as I have been personally) to use such terms as ‘genocide’” with regard to US crimes in Indochina, he added in a footnote: “The question whether the term is technically appropriate, in the light of the United Nations Convention of 1948, is a different matter.”

What of the distinguishing characteristics of the “populations” targeted by (genuine/full-scale) genocide – especially regarding the four protected groups in the Genocide Convention? I am not aware of a specific comment on this subject, but based on my general survey of Chomsky’s usage, they seem parallel with the “national,” “ethnic,” and “racial” groups – though not religious groups – protected under the Convention. Chomsky’s references to genocide as a possible consummation of structural and institutional forms of violence might lead us to add a class component to the mix, that is, the mass extermination of the poor by the privileged. I consider this aspect in greater detail below. Likewise, Chomsky’s attention to the mass killings in Indonesia in 1965-66—targeting actual or alleged members and supporters of the Indonesian Communist Party (PKI)—and in Central America during the 1970s and 1980s (El Salvador and Nicaragua, as distinct from Guatemala) suggest an openness to including political targets of proto-genocidal or quasi-genocidal violence (overlapping, I sense, with social class/underprivilege). I know of no reference, however, to gender groups as targets of such violence.

**Genocide: Paradigmatic Cases**

In all of Chomsky’s work that I have consulted, I find only one modern (post-Columbian) historical case that he has consistently and without qualification cited as “genocide,” and another for which near-consistency and a nearly-complete absence of qualifications are hallmarks.

“The Nazi Holocaust”

I quote this phrasing to convey that Chomsky’s understanding of Nazi policy and mass atrocities extends beyond the attempted destruction of European Jews. Chomsky is regularly at pains not to portray the Jewish Holocaust as unique. In particular, he has regularly stressed the comparable and contemporary genocide of the Roma/Gypsies and has referred to the Nazis’ multiple “genocidal projects,” though without specifying them beyond the destruction of the Roma (Porajmos, or Devouring). In particular, I am unaware of any reference in this context to the Nazis’ targeting for destruction of the Slavic peoples of Eastern Europe.

Nonetheless, Chomsky emphatically considers the “Nazi genocide” to be unique in the historical record. This is evident, and perhaps most explicit, in the lengthy passage from his conversation with David Barsamian, cited earlier (see note 12).

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His best-known (because frequently self-cited) description of the Nazi Holocaust, in *Peace in the Middle East?*, portrays it as “the most fantastic outburst of collective insanity in human history.” In *The Culture of Terrorism*, Chomsky describes “the Nazi atrocities, needless to say,” as “vastly beyond any comparison even to what we have been considering here” (i.e., various atrocities perpetrated by or with the complicity of the United States). Consider also this exchange with Barsamian:

Barsamian: I think, and I hope you’ll agree, that what was radically different between what the Nazis did and what we [the US] did in Vietnam was the intent. The Nazis intended to exterminate the Jewish population of Europe. The intent in Vietnam was not genocide.

Chomsky: I’d never call what happened in Vietnam genocide. That’s not the right term for it. I agree, it was totally different. I can’t recall anyone suggesting otherwise. Actually, it’s different in all sorts of respects. *The Nazis really are historically unique. There have been a lot of atrocities in human history, but industrialized mass extermination of the style that the Nazis carried out is off the spectrum. There’s just nothing that compares to it. The Jews and the Roma, the people we call Gypsies, were treated about the same way, and some other groups [n.b.]. That was unique.*

Note that in this passage, the verdict of the Nazis’ “historical uniqueness” and incomparability is based primarily on the unique *strategy* employed (“industrialized mass extermination”), rather than the elements of *massive scale* and *near-total extermination* (or intended extermination). But elsewhere, Chomsky has described Nazi genocide in more general moral terms as “probably the world’s most horrifying atrocity.” In his controversial foreword to Herman and Peterson’s *The Politics of Genocide*, Chomsky quotes approvingly the authors’ description of the Nazi genocide as “the crime of the 20th Century for which the term originally was coined,” and of applications of “genocide” to subsequent cases as excessively “frequent,” “reckless,” and “often … debased.”

The effect of the authors’ argument, Chomsky claimed, is to show that such usage “is an insult to the memory of victims of the Nazis.” Similar language is deployed in *A New Generation Draws the Line*, to dismiss applications of the “genocide” discourse to the Kosovo case. Such “propaganda,” in Chomsky’s view, constitutes “a form of Holocaust revisionism … a bitter insult to the memory of Hitler’s victims.”

Chomsky’s assertion of the specifically anti-Jewish component of the Nazi genocide is accompanied by biting critiques of the way the *Shoah*, in his view, has been exploited shamefully for political (especially pro-Israel) ends. This is considered in a separate section below (“The Holocaust: Memory and Propaganda”), where I point out Chomsky’s regular pairing of the *Shoah* with the *Porajmos*, in which he emphasizes the distinct and highly politicized disparity in the attention accorded to each. What merits attention here is Chomsky’s citing of the two atrocities in a way that stresses their essential comparability. “The Gypsies were treated just like the Jews in the Holocaust,” he tells Barsamian in *How the World Works*, “but nobody’s batting an eyelash about that because nobody gives a damn about the Gypsies.” A comment included in the companion volume to the *Manufacturing Consent* documentary refers to “the Gypsies, who were killed at the same time, in the same manner, for the same reasons, and in about the same proportions” as the Jews. A slightly more extended version of the argument is found in another conversation with Barsamian:

Take the gypsies. Nobody supports the gypsies. You don’t have to worry about alienating anyone. There isn’t much study of the gypsies because nobody cares about them, and you know how everybody hates them anyhow, so they don’t study it. But there is a Romani intelligentsia that’s done research on the treatment of the Romani people by the Nazis and it looks pretty parallel to the way the Jews were treated. There are people who just flat out deny that in the most vulgar fashion.

Thus, in contrast to some genocide scholars (e.g. Steven Katz, Yehuda Bauer) who favor a *Holocaust uniqueness* framework, Chomsky deploys something like a *Nazi uniqueness* framing, one that stresses the morally abysmal nature and systematically/industrially exterminatory strategy of Nazi crimes against Jews, Gypsies, and unspecified “other groups.”
Indigenous Peoples of the Americas

Only slightly less emphatically a case (or set of cases) of genocide, for Chomsky, is the destruction of the Americas’ indigenous populations by both Anglo-American and Iberian invaders. Indeed, this is probably the context in which Chomsky most frequently and explicitly deploys the “genocide” concept. Typical references to this “notable chapter in the history of genocide”30 include the following:

Here in the United States, we just committed genocide. Period. Pure genocide. And it wasn’t just in the United States, it was all up and down the Hemisphere. … Throughout American history this genocide has been accepted as perfectly legitimate.31

[The indigenous population was] slaughtered, decimated, and dispersed in the course of one of the greatest exercises in genocide in human history. … In short, mass genocide [occurred], on a colossal scale, which we celebrate each October when we honor Columbus – a notable mass murderer himself – on Columbus Day.32

Spanish explorers set about what Tzvetan Todorov calls “the greatest genocide in human history” after they “discovered America” 500 years ago.33

In the Andean region and Mexico there were very extensive Indian societies, and they’re mostly gone. Many of them were just totally murdered or wiped out, others succumbed to European-brought diseases. This is massive genocide, long before the emergence of the twentieth century nation-state. It may be one of the most, if not the most extreme example from history, but far from the only one. These are facts that we don’t recognize.34

As these passages suggest, Chomsky’s emphasis on genocide in the Americas, and particularly in the United States,35 reflects his conviction that not only do these atrocities not arouse the same revulsion as Nazi genocide, but they are standardly suppressed and denied in mainstream discourse,36 addressed in a qualified or ambivalent fashion, and even positively commemorated and openly celebrated.37 In this sense, their contemporary political significance and the moral lessons to be drawn from them may surpass the Nazi Holocaust. Indeed, as the final indented quote suggests, the genocides may be even more “extreme” than Nazi genocide (in their more “massive” exterminatory impact, for example), even if the Nazis’ recourse to industrialized extermination heightens their genocides’ uniqueness.

30 Chomsky, Turning the Tide, 39.
32 Chomsky, The Chomsky Reader, 121. Note also Chomsky’s description of Columbus as “the genocidal monster whose exploits we celebrate each October” (Chomsky, Turning the Tide, 146).
34 Chomsky, Chronicles of Dissent, 10.
35 In the US context, he also notes genocidal attacks against specific indigenous nations, e.g. in his reference to “the Native American Montauketts, who were destroyed in the US genocide” (Noam Chomsky and Ilan Pappé, Gaza in Crisis: Reflections on Israel’s War against the Palestinians [London: Hamish Hamilton, 2010], 33), and separately to “the first really major act of genocide in New England, the Pequot Massacre of 1637” (Chomsky, Understanding Power, 265).
36 See, e.g., Chomsky’s critique of the “liberal political analyst Russell Baker,” whom he quotes as describing North America and Mesoamerica as “a continental vastness sparsely populated by farming and hunting people … [in which] there may have been scarcely more than a million inhabitants.” Chomsky’s response is that “the calculation is off by many tens of millions, and the ‘vastness’ included advanced civilizations. But no matter. The exercise of genocide denial with a vengeance again merits little notice, presumably because it is so unremarkable and in a good cause.” Noam Chomsky, Hopes and Prospects (London: Hamish Hamilton, 2010), 19.
37 In addition to the Columbus Day references already cited, note this acid comment: “We still name our military helicopter gunships after victims of genocide. Nobody bats an eyelash about that: Blackhawk. Apache. And Comanche. If the Luftwaffe named its military helicopters Jew and Gypsy, I suppose people would notice.” Noam Chomsky, Propaganda and the Public Mind (Boston: South End Press, 2001), 194.
Of particular relevance to Chomsky’s broader understanding of genocide, and to current scholarly debates over genocide and modernity, is an exchange with David Barsamian, who asked him: “Could you talk about the twentieth century nation-state? … What is it in its makeup that permits … genocide?” Chomsky demurred in his response:

I don’t entirely [agree]. I think there’s some truth to it, simply because the modern nation-state and the European model, that is, including the United States, happened to be by historical standards enormously powerful. The degree of power in the hands of a modern nation-state is something with no historical parallel. This power is centrally controlled to a very high extent with a very limited degree of popular participation in how that power is exercised. Also, we have an awesome increase in the level of power in the hands of the state, and as a result we have an enormous amount of violence. However, it’s very misleading to think of, say, genocide as being a twentieth century phenomenon.38

Genocide: Secondary Cases
A range of additional cases of “genocide” may be held to occupy a secondary tier in Chomsky’s analysis, on the grounds that (1) he cites them less regularly and spontaneously than he does the Nazi and indigenous-American examples; and/or (2) the “genocide” descriptor is more likely to be quoted from other sources; and/or (3) Chomsky hedges the cases with qualifications, circumscriptions, and ambiguities/inconsistencies of terminology.

Biblical Genocide
Though he touches on this subject only in passing, Chomsky’s framing of the mass violence depicted in the core Judeo-Christian texts is emphatic. “Probably the extremes of savagery – recorded savagery, at least – are in the earliest histories, in the Bible,” he declares in *Rogue States*:

I suppose that in the entire literary canon there is nothing that exalts genocide with such fervor and dedication and enthusiasm as the commandments of the warrior God to his chosen people – for example, his commandments delivered to King Saul by the prophet Samuel, who was the most just of the judges, and who conveyed the commandment to Saul to attack Amalek and spare nothing, killing all men, women, infants, and sucklings, oxen and sheep, camels and asses – the reason being that centuries earlier the Amalekites had stood in the way of the Hebrews conquering their Holy Land. Saul, as you may remember, spared one person, the king of Amalek, and some of the cattle. Samuel, when he discovered this, was enraged and cut down the captured prisoner before the Lord at Gilgal. And so the story continues.39

Likewise, in *The Fateful Triangle*, Chomsky cited “the genocidal texts that appear in the book of Joshua and elsewhere [in the Hebrew Bible].”40 In *Imperial Ambitions*, he described “massacres, like the Pequot massacre” of indigenous peoples in North America as “just like chapters out of the most genocidal parts of the Bible, which in fact the settlers quoted liberally.”41

The Armenian Genocide
Without exception in my sample of dozens of his works, Chomsky’s comments on the Ottoman destruction of the Armenian population occur in response to questions put to him by David Barsamian, who is of Armenian descent. Chomsky is straightforward in referring to it as “the Armenian genocide,” as in an exchange printed in *Stenographers to Power*, and deploring “our casual attitude towards [it].”42 Nonetheless, it is worth noting the instrumental use to which Chomsky puts this recognition: pivoting off the “genocide” to emphasize the politicization of the term and concept, and the obfuscation or outright denial of this and other genocides. “For example, I would

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40 Chomsky, *The Fateful Triangle*, 154; see also 444.
42 Barsamian, *Stenographers to Power*, 77-78.
wager that more people are aware of the Armenian genocide during the First World War than are aware of the Indonesian genocide in 1965,” he tells Barsamian in the same conversation.43

Of special relevance, for Chomsky, is Israel’s longstanding refusal to recognize the Armenian genocide, and its attempts to suppress domestic discussion of it. “Israel has been very strongly opposed to efforts to bring the Armenian genocide into consideration,” he tells Barsamian in Chronicles of Dissent. “The extent of this is really astonishing.”44 Then there is this exchange in Power Systems:

Barsamian: And now there’s a report that Israel, which has long denied the Armenian genocide, is considering a resolution condemning it, primarily to irritate the Turks, who they know are hypersensitive to any mention of the Armenian genocide.

Chomsky: It cuts both ways. Israel and Turkey were pretty close allies. In fact, Turkey was Israel’s closest ally, apart from the United States. Their connection was kept under cover, but it was perfectly clear from the late 1950s on. It was very important for Israel to have a powerful non-Arab state ally. Turkey and Iran under the shah were very close to Israel. At that time, Israel refused to allow any discussion of the Armenian genocide. … At that time, Turkey was an ally, so you didn’t talk about the Armenian genocide. Now, as you say, relations are frayed, so you can sort of stick it to the Turks. You can talk about it now.45

Genocide scholars may be interested, even a little amused, to see Chomsky’s multiple references in this context to his personal relationship with one of the pioneers of our field – someone who, at least in communications with me, has been harshly critical of Chomsky. As Chomsky relates to Barsamian,

In 1982, Israel Charny, somebody I knew as a kid in Hebrew camp, organized a Holocaust conference in Israel. He wanted to invite someone to talk about the Armenian atrocities, and the government tried to block it. In fact, they pressured Elie Wiesel, who was supposed to be the honorary chair, to resign. The conference organizers went ahead with it anyway, over strong government opposition.46

Note also the similar comments in World Orders, Old and New:

I keep learning new things about [Israeli opposition] all the time. For example, in 1982 there was a conference on genocide in Israel. It was organized by a childhood friend of mine. He is a psychologist there. The conference was dealing with all kinds of genocide. The Israeli government put pressure upon it to drop the Armenian genocide. They allowed the others, but not the Armenian one. The honorary chairman was to have been Elie Wiesel, and he was pressured by the government to withdraw, and being a loyal commissar as he is, he withdrew from the conference because the Israeli government had said they didn’t want [the] Armenian genocide brought up.47

These intriguing references aside, we should link Chomsky’s comments on this genocide to his broader critique of Israeli/Zionist manipulations of a Holocaust (Shoah) discourse, designed among other things to preserve it as a unique historical crime. This is examined in greater detail below.

With this incorporation of the Armenian and Biblical cases, I believe we have exhausted those to which Chomsky has unhesitatingly and consistently applied the “genocide” appellation. The

43 Ibid., 78.
44 Chomsky, Chronicles of Dissent, 216.
45 Ibid., 94.
remaining cases in this section are ones in which Chomsky has deployed a genocide framing, while sometimes offsetting a clear verdict with more qualified ones or limiting the “genocide” references to quoted passages. They still merit discussion here, though, since the ambiguities and inconsistencies are substantially less pronounced than for cases noted in the subsequent section of the article.

Indonesia in 1965-66

I have already cited Chomsky’s “wager” comparing awareness of “the Armenian genocide” to that of “the Indonesian genocide of 1965.” The passage continues by citing a death toll of “700,000 people … massacred within a couple of months” (an understatement of the duration of the killing). 48 Note Chomsky’s comment, immediately following: “That genocide was used, including by American liberals, I should say, as justification for our war in Indochina.” Notable, too, is a pair of references to the Indonesian “holocaust,” in the first work that Chomsky coauthored with Edward S. Herman, the pamphlet *Counter-Revolutionary Violence: Bloodbaths in Fact and Propaganda*. “The [Indonesian] army played a key role in this holocaust, doing a large part of the killing directly … and actively stimulating an anti-Communist hysteria that contributed greatly to wholesale mass murder,” and “…The American response to the holocaust proper was restrained.” 49

It is rare for “holocaust” to be deployed in this manner in Chomsky’s sole-authored writings and spoken declarations. As with the much more extensive and substantial critique of Indonesian mass atrocities in East Timor, explored next, one suspects that the terminology reflects his coauthor Herman’s preferred phrasing more than his own.

East Timor

Aside from the contemporary Cambodian case with which it is generally paired, it is possible that no other genocide or quasi-genocide receives such extensive attention and detailed exploration in Chomsky’s writings as that of East Timor. Whatever reservations and furious accusations have been directed at Chomsky and his co-author, Edward S. Herman, for their treatment of genocide under the Khmer Rouge (see “Cambodia: ‘Allegations of Genocide,’” below), one must acknowledge that their meticulous documentation and ringing condemnation of Indonesian atrocities in Timor were crucial in drawing activist and, eventually, mainstream attention to those crimes. This, in turn, helped to pave the way for the worldwide outpouring of protest during the final Indonesian crackdown in 1999, at the time of the UN-supervised plebiscite on Timorese independence.

Incorporating the Timorese case in our analysis is somewhat complicated by the uncertain authorship of passages in Chomsky’s key coauthored work with Herman, *The Washington Connection and Third World Fascism* (volume one of their seminal two-volume study, *The Political Economy of Human Rights*). Section 3.4.4 of this book is titled “East Timor: Genocide on the Sly” 50 – the only time, to my knowledge, that “genocide” has appeared in the section heading of a work authored or coauthored by Chomsky. One senses, nonetheless, that this was more at Herman’s behest than Chomsky’s, given the former’s demonstrably greater interest in the subject and readiness to deploy the term in some depth. (As noted, this culminated in Herman’s disgracefully denialist 2010 screed, *The Politics of Genocide*, coauthored with David Peterson and featuring Chomsky’s foreword.)

Chomsky’s own verdict on Indonesian crimes in East Timor has been both equally trenchant and more varied in its language. At times, a “genocide” framing seems straightforward, as in comments quoted in Mark Achbar’s *Manufacturing Consent* documentary companion. Media silence about atrocities in Timor, Chomsky claimed, extends

way beyond just demonstrating the subservience of the media to power. I mean, they have real complicity in genocide in this case. The reason that the atrocities can go on is because

48 Barsamian, *Stenographers to Power*, 77-78.
49 Chomsky and Herman, *Counter-Revolutionary Violence*, unpaginated.
nobody knows about them. If anyone knew about them there would be protests and pressures to stop them. So therefore, by suppressing the facts, the media are making a major contribution to some of the – probably the worst act of genocide since the Holocaust.51

“… Genocide in East Timor [is something] we [i.e., the US] can support,” Chomsky declares in Understanding Power.52 Elsewhere in the volume, which compiles spoken presentations over the years, he states: “And this is genocide, if you want to use the term, for which the United States continues to be directly responsible.”53 The “if you want …” phrasing here points again to Chomsky’s ambivalence toward “genocide.” I will explore some of his hesitations and reservations with regard to East Timor as an illustrative case in the section on “Quasi-Genocide,” below.

Guatemala
On several occasions, Chomsky has directly applied a genocide framing to the Guatemalan genocide of the late 1970s and early 1980s. In Rogue States, he cites the UN-sponsored Historical Clarification Commission’s “attribut[ion of] virtually all of the atrocities – and they are monstrous, up to genocide – to the government.”54 He refers to “the genocide in Guatemala” in Understanding Power, condemning Israeli “support” for the genocide.55 In The Fateful Triangle, and in conversation with Barsamian in Chronicles of Dissent, he again focuses on Israel’s role as “a militarized dependency” of the US - “technologically advanced and ready to undertake tasks that few are willing to endure – support for Guatemalan genocide, for example”56 or as a “dependable, reliable ally … [who] will do what we [the US] want, like, say, support genocide in Guatemala or whatever.”57 He accused Elie Wiesel of ignoring “ongoing genocide in Guatemala, with tens of thousands of Indians slaughtered,”58 and of playing up the more politically convenient case of the Miskito Indians of Nicaragua (see further discussion in “Genocide: Politicization and Misrepresentation,” below).

On other occasions, Chomsky has chosen to cite others’ applications of “genocide” to this case, as when he speaks of “massacres that the conservative [Guatemalan] Church hierarchy calls ‘genocide’”;59 or to qualify his language significantly, as when he states that “Despite all the terror in Guatemala – you could even call it something like genocide – the working-class unions are reconstituting, they’re still there.”60 I likewise cite other examples of these qualified phrasings in the section on “Quasi-Genocide.”

El Salvador
As with the Guatemalan case, Chomsky has been forceful in applying a “genocide” framing to the mass atrocities of the 1980s in neighboring El Salvador. But to my knowledge, he has always done so indirectly, that is, by supportively citing commentators who use the term. An apparent exception is his comment in Necessary Illusions, noting the assumption of US “hawks and doves alike that it would have been a major crime to provide the defenseless [Salvadoran] civilian population with means to defend themselves against a war of extermination and genocide – at least, when the war is conducted by US clients, with US support and, as it reached its climax, direct organization

51 Achbar, Manufacturing Consent, 116. To an extent that I think is unmatched by any other case, Chomsky has regularly attached the “worst since the Holocaust” designation to Indonesian crimes in Timor, but generally with the qualification that this judgment is merited “relative to the population” (e.g. Chomsky, Understanding Power, 295, using the term “slaughter”; see also Noam Chomsky, Powers and Prospects: Reflections on Human Nature and the Social Order (Boston: South End Press, 1996), 174, and Chomsky, Chronicles of Dissent, 261, referring to the “worst massacre ...”).
52 Chomsky, Understanding Power, 301.
53 Ibid., 295.
54 Chomsky, Rogue States, 93.
55 Chomsky, Understanding Power, 5.
56 Chomsky, The Fateful Triangle, 442.
57 Chomsky, Chronicles of Dissent, 73.
58 Chomsky, The Culture of Terrorism, 243.
59 Chomsky, The Chomsky Reader, 128.
60 Chomsky, Understanding Power, 105.
and participation.” However, the italicized phrase is repeated from the verdict of Salvadoran Archbishop Arturo Rivera y Damas cited in the preceding paragraph (and regularly elsewhere in Chomsky’s corpus). Other sources deployed to buttress the genocide framing for El Salvador include the French journalist Edouard Bailby, who in Chomsky’s account

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gives a detailed report of massacres, brutality, mutilation, and terror on the part of the [Salvadoran] armed forces that are “a true repetition of the methods utilized by the SS during the second world war,” since the Sumpul River massacre [May 1980], when “the genocide began,” at times with the assistance of the Honduran army.

– and a report from the Costa Rican journal Mesoamerica about the visit of Salvadorean president José Napoleón Duarte to Brazil, during which “Duarte’s daughter broke into tears … amidst boos and hisses by angry crowds waving signs saying ‘Duarte is a murderer, a genocide’” (i.e. a génécidiaire; presumably in Mesoamerica’s Spanish rendering, un genocidio).

Iraq: The Kurds, Sanctions, Fallujah

In highlighting US support for the Saddam Hussein regime in its war against Iran, during which it also inflicted mass extermination upon Iraqi Kurds, Chomsky avoided passing a personal verdict of “genocide,” but supportively quoted a US government delegation that did:

An investigative team sent by the Senate Foreign Relations Committee in 1988 found “overwhelming evidence of extensive use of chemical weapons against civilians,” charging that Western acquiescence in Iraqi use of such weapons against Iran had emboldened Saddam to believe – correctly – that he could use them against his own people with impunity – actually against Kurds, hardly “the people” of this tribal-based thug. The chair of the committee, Claiborne Pell, introduced the Prevention of Genocide Act of 1988, denouncing silence “while people are gassed” as “complicity,” much as when “the world was silent as Hitler began a campaign that culminated in the near extermination of Europe’s Jews,” and warning that “we cannot be silent to genocide again.”

Chomsky adopted a similar strategy, perhaps more cautiously but much more frequently, in condemning the system of sanctions imposed on the Iraqi regime and population following the Gulf War of 1990-91. As is frequently the case in his writings and interviews, his intent was often to highlight the politicization of “genocide,” and the reluctance of the US in particular to apply the term to atrocities that it perpetrated or supported. Thus, in Hopes and Prospects, he cites the conclusion of the erstwhile director of the UN’s Oil-for-Food program, Hans von Sponeck, “that the sanctions violated the Genocide Convention.”

“None of this can ever be mentioned, even in passing, by those who strike heroic poses about the alleged ‘genocides’ perpetrated by official enemies,” Chomsky wrote, “while scrupulously avoiding or denying our own crimes, a form of depravity that is not unusual among sectors of educated opinion.” Again reflecting both his readiness to cite the “genocide” charge, and his hesitation about the concept, Chomsky wrote in Middle East Illusions, “The only serious question

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64 Chomsky, The Culture of Terrorism, 103.
65 Chomsky, Rogue States, 26.
66 Chomsky, Hopes and Prospects, 129. See the similar citation and phrasing in Interventions, adding that von Sponeck’s “predecessor Denis Halliday, also a distinguished international diplomat, had resigned on the same grounds.” Noam Chomsky, Interventions (San Francisco: City Lights Books, 2007), 60 (n. 2).
67 Chomsky, Hopes and Prospects, 129.
about the UN sanctions is whether they are simply terrible crimes or whether they are literally genocidal, as charged by those who have the most intimate acquaintance with the situation …”\textsuperscript{68}

Lastly with regard to Iraq, as a scholar who has written extensively about the gender dimension of genocidal strategies, I was intrigued to come across Chomsky’s comments, in Imperial Ambitions, about the siege and battle for Fallujah/Falluja following the 2003 overthrow of the Ba’thist regime and the rise of Sunni resistance to the US occupiers. “If civilians managed to flee Falluja, they were allowed out – except for men,” Chomsky noted:

Men of roughly military age were turned back. That’s what happened in Srebrenica in 1995. The only difference is the United States bombed the Iraqis out of the city, they didn’t truck them out. Women and children were allowed to leave; men were stopped, if they were found, and sent back. They were supposed to be killed. That’s universally called genocide, when the Serbs do it. When we do it, it’s liberation.\textsuperscript{69}

**Structural and Economic Violence: The “Silent Genocide”**

The bulk of Chomsky’s enormous published output on political themes focuses on imperial violence in countries and regions of the Global South, most notably Latin America, the Middle East, and Southeast Asia (he has had notably little to say about Sub-Saharan Africa or South Asia). More global and structural themes have not escaped his notice, however, as is evident in his regular commentary about poverty and inequality, climate change and environmental degradation, and corporate depredations fuelled by capitalist and neoliberal ideologies.

What role has a “genocide” framing played here? Of particular relevance is Chomsky’s repeated citing of a mid-1990s claim by Hiroshi Nakajima, director of the World Health Organization, that a “silent genocide” was inherent in the deaths of an estimated 11 million children annually from preventable diseases, “because the developed world lacks the will to provide the meagre resources needed to overcome” it.\textsuperscript{70} The “’silent genocide’ could be brought to a quick end,” Chomsky argued, “if resources were directed to needed rather than enrichment of a few.”\textsuperscript{71} “We would not hesitate to describe these policies as genocidal if they were implemented by some official enemy,” he added in Powers and Prospects.\textsuperscript{72}

In *World Orders, Old and New*, Chomsky cited “chronic starvation” and declining “food consumption … while food exports boom” in both Latin America and India, quoting allegations that this constituted “economic genocide.”\textsuperscript{73} *Corporate complicity in genocide* is noted in the context of news media, as in this pithy exchange with David Barsamian in *Power and Terror*:

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\textsuperscript{68} Noam Chomsky, *Middle East Illusions* (Lanham: Rowman & Littlefield, 2003), 200.

\textsuperscript{69} Chomsky, *Imperial Ambitions*, 27. Lest this passage be taken as suggesting that Chomsky is sympathetic to a “genocide” framing for the Fallujah events, see the comments in his correspondence with George Monbiot, “Correspondence with Noam Chomsky,” May 21, 2012, accessed March 31, 2019, https://www.monbiot.com/2012/05/21/2181/). “Take a concrete case: the murder of thousands of men and boys after women and children are allowed to flee if they can get away. I’m referring to Fallujah, different from Srebrenica in many ways, among them that in the latter case the women and children were trucked out, and in the former case the destruction and slaughter was so extreme that current studies in medical journals estimate the scale of radiation-related deaths and diseases at beyond the level of Hiroshima. I would not however call it ‘genocide,’ nor would you, and if the word were used, the more extreme apologists for western crimes … would go utterly berserk.” The massacre cited alongside Fallujah—Srebrenica in 1995—Chomsky called a “mass slaughter … certainly a horror story and major crime, but to call it ‘genocide’ so cheapens the word as to constitute virtual Holocaust denial, in my opinion. It amazes me that intelligent people cannot see that.”


\textsuperscript{72} Chomsky, *Powers and Prospects*, 131. Allogations of “silent genocide” — indirect mass killing via starvation and privation — also emerged in Chomsky’s denunciation of the humanitarian catastrophe in Afghanistan, as the US launched its bombing campaign against the country following the terrorist attacks of September 11, 2001. See Noam Chomsky, *9/11* (New York: Seven Stories Press, 2002), 96, repeated on 105. “Five days after 9-11, Washington demanded that Pakistan eliminate ‘truck convoys that provide much of the food and other supplies to Afghanistan’s civilian population,’ and caused the withdrawal of aid workers along with severe reduction in food supplies, thereby leaving ‘millions of Afghans … at grave risk of starvation’ — risk of what should properly have been termed ‘silent genocide.’” Noam Chomsky, *Hegemony or Survival: America’s Quest for Global Dominance* (New York: Metropolitan Books, 2003), 129.

\textsuperscript{73} Chomsky, *World Orders, Old and New*, 128.
Barsamian: So what prevents something like East Timor or other issues from arising [in media coverage]? Why isn’t there more dissent in the media? Is it just that people don’t want to hear it, so they’re not going to make money?

Chomsky: Why should a major corporation be interested in exposing the fact that they’re involved in genocide?

Barsamian: They’re not. It’s the US government.

Chomsky: They’re part of the system that runs the US government.74

Readers of Chomsky’s *Deterring Democracy* are unlikely to forget his brilliant polemic against the *global tobacco industry*, which he likened to the Opium Wars of the 19th century, with poisonous products being pushed on populations – via marketing – in the Global South. In this context, Chomsky wrote, “it might be fair to warn of the blurring of the boundary between narcotrafficking and genocide.”75

In recent years in particular, environmental destruction and anthropogenic climate change have moved to the forefront of both global concerns and Chomsky’s.76 “… We are moving toward what may in fact be the ultimate genocide – the destruction of the environment,” Chomsky claimed in *On Western Terrorism*. “And this is barely being addressed; in fact, the United States is going backwards on it.”77

In light of Chomsky’s anarchist political sympathies, I find a final example of (potential) structural/economic “genocide” to be especially intriguing, perhaps unexpected. In an exchange reprinted in the collection *Chomsky on Anarchism*, Barry Pateman asked Chomsky for his thoughts on those who argue that societies need to “step back, or forward in their eyes, to a more natural, organic world of nature. Is that possible?” Chomsky’s response:

You know, I sympathize with people who say that, but I do not think that they are realizing that what they are calling for is the mass genocide of millions of people because of the way society is now structured and organized, urban life and so forth. If you eliminate these structures everybody dies. For example, I can’t grow my own food. It’s a nice idea, but it’s not going to work, not in this world. And, in fact, none of us want to live a hunter-gatherer life. There are just too many things in life that the modern world offers us. In just plain terms of survival, what they are calling for is the worst mass genocide in human history. And, unless one thinks through these things, it’s not really serious.78

Cambodia: “Allegations of Genocide”
The Cambodian genocide of 1975-78 is certainly the most contentious and complex case in Chomsky’s oeuvre, and deserves a section to itself. It underpinned the second (chronologically) of the three substantial genocide-related controversies in which Chomsky has been embroiled during his career. The first of these – the “Faurisson affair,” beginning in the late 1970s – is not addressed here.79 The most recent controversy, over Herman and Peterson’s *The Politics of Genocide*, is likewise not explored beyond a citation from Chomsky’s foreword. In neither of these cases was Chomsky’s presentation of the mass atrocities – in the Nazi and Rwandan genocides, respectively – at the heart of the dispute. Indeed, in the sample set of his writings consulted here, and to my knowledge outside it, Chomsky has had surprisingly little to say about either genocide as such – he has displayed greater interest in the way the Holocaust has been used for political purposes than in

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75 Chomsky, *Deterring Democracy*, 127.
how it unfolded historically. And he has written and said virtually nothing about the 1994 genocide in Rwanda; the shocking misrepresentation of this case in *The Politics of Genocide* is Herman and Peterson’s. (I will have a little more to say about Chomsky’s cursory presentation of the Rwandan case in the section on “Genocide and Humanitarian Intervention,” below.)

The Cambodian/Khmer Rouge case is notably different, in that Chomsky, mostly in work coauthored with Herman, passed judgment on both the political use and representation of Khmer Rouge atrocities, and the empirical characteristics and appropriate contextual framing of the events themselves. Some brief notes on the background are thus required before we turn to Chomsky’s written and spoken declarations on the subject.

Chomsky rose to public prominence through his writings on the US attacks on Indochina in the 1960s and 1970s, and the role he played in the antiwar movement from the mid-sixties onward. In June 1977, just over two years after the Khmer Rouge vanquished the Lon Nol regime in Cambodia, seized power, and renamed the country “Democratic Kampuchea,” Chomsky and Herman published an article, “Distortions at Fourth Hand,” which addressed media coverage and intellectual commentary about both postwar Vietnam and Cambodia. The article challenged mainstream US reportage on Vietnam, contrasting it with more favorable but obscurely-published evaluations. Much of the same approach featured in the authors’ treatment of Cambodia. The prevalent inattention to the country prior to the Khmer Rouge seizure of power was contrasted with the widespread allegations of mass atrocities thereafter, when “useful lessons [could] be drawn and public opinion mobilized in directions advantageous to the established order.” This “didacticism,” Chomsky and Herman wrote in *The Nation*, “often plays fast and loose with the truth.”

Their review of “sharply conflicting assessments” of Khmer Rouge policies between April 1975 and early 1977 included the caveat that “We do not pretend to know where the truth lies …” Nonetheless, they criticized the prevailing/mainstream readiness to accept as fact “evidence” that they argued was fabricated or highly dubious, and condemned “extreme anti-Khmer Rouge distortions” in, for example, John Barron and Anthony Paul’s *Murder in a Gentle Land: The Untold Story of Communist Genocide in Cambodia*. This work, which assigned to the Khmer Rouge responsibility for over a million excess deaths during the period, they described as “a third-rate propaganda tract” featuring “scholarship [that] collapses under the barest scrutiny.”

With regard to the claimed death toll in Cambodia during the first two years of Khmer Rouge rule, Chomsky and Herman assigned primary responsibility to “the enormous destruction and murder resulting directly from the American [aerial-bombing] attack on Cambodia, the starvation and epidemics as the population was driven from their countryside by American military terror and the US-incited civil war.” They also cited reports running counter to the mainstream portrayal, which concluded that executions have numbered at most in the thousands; [and] that these were localized in areas of limited Khmer Rouge influence and unusual peasant discontent, where brutal revenge killings were aggravated by the threat of starvation resulting from the American destruction and killing. These reports also emphasize both the extraordinary brutality on both sides during the civil war (provoked by the American attack) and repeated discoveries that massacre reports were false. They also testify to the extreme unreliability of refugee reports, and the need to treat them with great caution...

Chomsky and Herman suggested that available evidence did not support comparisons of the Khmer Rouge with the Nazis (including the claim in an April 1977 United Press International (UPI) press report that 1.2 million people “have been killed or have died as a result of the Communist regime since April 17, 1975”). A “more nearly correct” assessment, they stated, could be that “Cambodia is more similar to France after liberation, where many thousands of people were massacred within a few months under far less rigorous conditions than those left by the American...

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81 Chomsky and Herman, *Distortions at Fourth Hand*. 

war.” Evidence had been “seriously distorted,” they claimed, “emphasizing alleged Khmer Rouge atrocities and downplaying or ignoring the crucial US role, direct and indirect, in the torment that Cambodia has suffered.” Critiques focusing on “the American role,” they wrote, were being “ignored, not on the basis of truthfulness or scholarship but because the message is unpalatable.”

I quote at length from this earliest published commentary by Chomsky on Cambodia because its core themes and arguments have underpinned his references to “genocide” under the Khmer Rouge. These include:

- **Skepticism toward “state-directed genocide.”** Writing again with Herman, in *After the Cataclysm*, Chomsky argued “there may be a good deal of local variation rather than the coordinated campaign of state-directed genocide that the media and their main sources prefer.”82 A “crucial element” in the prevailing propaganda portrait, they argue, is “that the Khmer Rouge leadership was committed to systematic massacre and starvation of the population it held in its grip, that is, to ‘autogenocide.’” It would be of little use to contemporary Western ideology if it were to be shown that peasant revenge, undisciplined troops and similar factors (still worse, the legacy of the US attack) were responsible for deaths and killings in Cambodia.”83

Note also the distinctions drawn in the following two, very similar passages:

By mid-1977, according to US intelligence, the death toll [in Cambodia] had reached “tens if not hundreds of thousands,” mostly from disease, malnutrition, and overwork, the result primarily of “brutal, rapid change,” not “mass genocide” …; this assessment, ignored at the time since it did not satisfy the current propaganda requirements, is now quite generally confirmed by subsequent scholarship.84

... The chorus of protest over Khmer Rouge “genocide” or “autogenocide” reached its peak of outrage in early 1977, at a time when State Department intelligence – the only source with substantial information – estimated the toll at “tens if not hundreds of thousands” from all causes, primarily “disease, malnutrition or other factors” rather than outright killing – an estimate that stands up rather well in the light of subsequent scholarship.85

We see again Chomsky’s understanding that a verdict of “mass genocide” – the phrase is quoted from a US State Department source (Timothy Carney) first cited in *After the Cataclysm*86 – is undermined if the killing is not “outright” and monocausal, but rather indirect and multicausal.

- **Highlighting the US role in perpetrating mass atrocities in the pre-1975 and Khmer Rouge-era mass atrocities.** On various occasions, alone or with Herman, Chomsky deploys the framing of a “decade of genocide” in Cambodia, as advanced in an issue of the journal *Inside Asia*. The phrase is always placed in quotation marks, as here in a 1985 article for *Inside Asia*, reprinted in *The Chomsky Reader*:

The torture of Cambodia during the “decade of genocide” is one of the horror stories of the modern period, one that is far from ended. ... The “decade of the genocide” had two phases: the 1970-75 war and the Khmer Rouge atrocities of 1975-78 (and the subsequent famine). The two are not unrelated.87

Does this constitute a “relativizing” of Khmer Rouge “genocide”? That seems to be the intent of the following comment by Chomsky during an exchange at a teach-in at Rove, Mass., in April 1989, published in *Understanding Power*:

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83 Chomsky and Herman, *After the Cataclysm*, 185.
85 Chomsky, *The Culture of Terrorism*, 46.
86 Chomsky and Herman, *After the Cataclysm*, 160.
[Unidentified] Man: But we may be heading for another genocide [if the Khmer Rouge return to power].

Chomsky: Well, look, the business about “genocide” you’ve got to be a little careful about. Pol Pot was obviously a major mass murderer, but it’s not clear that Pol Pot killed very many more people – or even any more people – than the United States killed in Cambodia in the first half of the 1970s. We only talk about “genocide” when other people do the killing. … If we were honest about the term “genocide,” we would divide up the deaths in the Pol Pot period into a major part which is our responsibility, which is the responsibility of the United States. 88

- Uncertainty of the death toll and unreliability of estimates. In Manufacturing Consent, Herman and Chomsky contend that “the actual scale of the slaughter and destruction during the two authentic phases of large-scale killings during the ‘decade of the genocide’ (phases I and II [i.e. 1970-78]) would be difficult to estimate at best, and the problems have been compounded by a virtual orgy of falsification serving political ends that are all too obvious.” Estimates by the Finnish Commission of Inquiry and by the scholar Michael Vickery, they argue, “suggest that the toll under phase II of ‘the genocide’ [under the Khmer Rouge] is somewhat greater than that under phase I [the American war], although not radically different in scale. But before accepting these figures at face value we must bear in mind that part of the death toll under phase II must be attributed to the conditions left by the US war.” 89

In this context, Chomsky has regularly cited an order by Henry Kissinger “to the Pentagon to carry out a ‘massive bombing campaign in Cambodia. Anything that flies on anything that moves.’ That is the most explicit call for what we call genocide when other people do it that I’ve ever seen in the historical record.” 90 In a 2010 interview published in The Phnom Penh Post, Chomsky describes it as having “clear genocidal intent.” 91 This “phase I of ‘the decade of the genocide,’” Herman and Chomsky declare in Manufacturing Consent, is notably not “designated a period of ‘holocaust’ or ‘genocide’ in mainstream literature. Phase I elicited no calls for international intervention or trials for crimes against humanity, and it has since been largely expunged from the record.” 92

In summary, Chomsky has (1) devoted greater critical attention to the validity of a “genocide” framing for Cambodia than for any other case or alleged case of genocide; (2) challenged the application of a “genocide” framing to the Khmer Rouge period, at least the 1975-77 period; and (3) stressed the need to include the United States among the culprits of mass atrocity. One senses, however, a certain evolution in his writing and speaking on the subject over the years. For example, his citing of “subsequent scholarship” in the two indented passages immediately above reflects the state of research as of the later 1980s. A great deal has appeared since, and Chomsky, perhaps grudgingly, seems to have grown more forthright in his terminology, for example in referring to “Pol Pot’s genocide” 93 and citing Ben Kiernan and Taylor Owen’s reference to “the Cambodian genocide.” 94 He has also spoken in straightforward support of trials of Khmer Rouge perpetrators, while expressing a preference that the proceedings be “left to the Cambodian people” and incorporate

88 Chomsky, Understanding Power, 92-93.
90 Chomsky, Imperial Ambitions, 100.
92 Herman and Chomsky, Manufacturing Consent, 262.
93 Chomsky, What We Say Goes, 103.
94 Chomsky, Interventions, 204. There is also this in the Manufacturing Consent documentary companion, published in 1994; the date of the statement, made at the Massachusetts Institute of Technology, is uncertain: “I mean the great act of genocide in the modern period is Pol Pot, 1975 through 1978 – that atrocity – I think it would be hard to find any example of a comparable outrage and outpouring of fury and so on and so forth.” I think, however, the appropriate reading of this passage would be: “the great act of genocide in the modern period is [taken to be/usually cited as] Pol Pot …” Achbar, ed., Manufacturing Consent, 95.
US crimes.95 The trajectory bears a limited comparison with that of Ben Kiernan, the leading scholar of the genocide, who acknowledged that he was initially “sympathetic to [the Khmer Rouge’s] purported reforms and nationalism,” but in 1979 issued a formal retraction.96 Chomsky, however—in his political writings at least—does not “do” formal retractions, to my knowledge.

Quasi-Genocide

I use this term to encompass a range of vocabulary that Chomsky has employed to suggest that certain severe atrocities fall somewhat short of genocide. These qualifications provide further evidence of Chomsky’s “hard” understanding of genocide, as explored at the outset of this essay. That is, for the threshold to be crossed in his framing, the atrocities should be fully exterminatory or nearly so, direct rather than indirect, and centrally planned—mirroring Nazi genocide in particular. As well, the phrasings here buttress the earlier contention that despite his hesitations and reservations about the “genocide” label, Chomsky has regularly sought to activate its special rhetorical and political power, to provoke concern and convey the seriousness and severity of the atrocities in question.

• “Near-genocide.” In How the World Works, Chomsky describes “positively ecstatic” US support for “near-genocide in Guatemala” during the 1980s.97

• “Virtual genocide.” According to Chomsky, Andrew Jackson’s proclamation of the Indian Removal Act “set off a virtual genocide” of Native nations in the southern US.98 He also accuses Italy under Mussolini of “carrying out virtual genocide” in Libya.99 In Guatemala “during Reagan’s terrorist wars of the 1980s,” he asserted that “one of the world’s most brutal and vicious regimes … extended its criminality to virtual genocide in the highlands.”100 In Year 501, a further qualification is added: the policies of the 1980s “approached virtual genocide.”101

• “Approaching genocide.” In his earliest collection of political essays, American Power and the New Mandarins, Chomsky quotes supportively a “letter in Science magazine [stating]: ‘There can be no doubt that the DOD [US Department of Defense] is, in the short run, going beyond mere genocide to biocide.’”102 Two pages later, he comments sardonically: “If it is necessary to approach genocide in Vietnam … then this is the price we must pay in defense of freedom and the rights of man.”103 With regard to Bosnia, Chomsky likewise declared at the time that “the slaughter is approaching genocide.”104

• “Genocidal” vs. “genocide.” Chomsky sometimes employs the construction of “genocidal X” in preference to “genocide,” in which the X is a further qualifier: “activities,” “assaults,” “method[s].” Somewhat speculatively, I venture that this reflects his understanding of genocide as a fully or nearly fully consummated enterprise, and his reservations about using the term. Thus he


100 Chomsky, Hopes and Prospects, 105. Chomsky has also quoted Guatemalan journalist Julio Godoy’s reference to “a virtual genocide that has taken more than 150,000 victims,” e.g. in Chomsky, How the World Works, 39.

101 Chomsky, Year 501, 28-29.


103 Chomsky, American Power and the New Mandarins, 333.

104 Chomsky, World Orders, Old and New, 25.
refers to “the genocidal activities” of Washington’s allies in Guatemala,\(^{105}\) and in the same volume describes “the long-suffering Mayans” as “subjected to near-genocidal assaults”\(^{106}\) (see also the references to “the genocidal uses to which the military aid was put” and “genocidal acts”).\(^{107}\) In collaboration with Edward Herman, he describes US policy in Indochina as “from the beginning semi-genocidal in purpose and method, resting in large part on the fact that the civilian population has been regarded as enemy or, at best, of no account.”\(^{108}\) To see these reservations and hesitations at play in his treatment of a particular case, consider again Chomsky’s pronouncements on *East Timor*. In conversation with David Barsamian, Chomsky’s verdict is both straightforward and slightly hedged, moving from “genocide” to “genocidal” to “near-genocidal”:

*Barsamian:* You talk extensively about the events in 1965 in Indonesia and then the events in 1975, in East Timor …

*Chomsky:* Which are still going on, incidentally. There’s a case of genocide that’s going on right today and is continuing precisely because the United States supports it. That’s what blocks any possible termination of that genocidal attack. … It’s quite improper for people in the United States to know that their own government is involved in a genocidal massacre which is quite comparable to Pol Pot. … That whole near-genocidal attack, the term is not exaggerated in this case, was almost entirely suppressed for over four years. Even today it’s barely discussed, and when it is discussed, the American role is suppressed.\(^{109}\)

In *Understanding Power*, Chomsky similarly alternates “genocide,” “genocidal,” and “virtually genocidal”\(^{110}\); “virtual genocide” is referenced in *Year 501*.\(^{111}\) In *Towards a New Cold War*, some of his earliest writing on East Timor, he cited “actions that verge on genocide.”\(^{112}\) In *The Washington Connection*, he and Herman report that “the massacre advanced to a point that some feel amounts to genocide.”\(^{113}\) The same text includes mentions of “impending genocide” (referencing the concerns of Timorese Catholic priests), and “possible genocide.”\(^{114}\)

### “Prelude to Genocide”

We have seen that on occasion, Chomsky has warned of possibly impending genocide – notably in the context of environmental destruction; his warnings about nuclear “holocaust” (see note 133) can also be noted in this regard. These are global issues. But in one case that has featured in his writings since the early 1970s – Israeli policies in the occupied Palestinian territories – Chomsky again employs the strategy of quoting another authority’s use of the “genocide” term. In the Gaza Strip, Chomsky asserted in an interview for *Gaza in Crisis*, the US and Israel “now have a pretext for tightening the stranglehold on the people of Gaza, cheerfully pursuing policies that the prominent

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\(^{103}\) Chomsky, *Turning the Tide*, 33.
\(^{104}\) Ibid., 165.
\(^{105}\) Ibid., 35-36.
\(^{106}\) Chomsky and Herman, *The Washington Connection*, 312.
\(^{107}\) Barsamian, *Stenographers to Power*, 79.
\(^{108}\) Chomsky, *Understanding Power*, 297.
\(^{112}\) Chomsky and Herman, *The Washington Connection*, 195, 201. Comparable qualifications are employed in *The Common Good*, where Chomsky refers to “the nearly genocidal [Indonesian] campaign of 1978.” Noam Chomsky, *The Common Good* (Tucson: Odonian Press, 1998), 98. The same 1978 campaign indicated that the violence “was approaching really genocidal levels,” with an estimated 200,000 Timorese killed (Achbar, ed., *Manufacturing Consent*, 102); it was “really near genocide,” according to another public statement cited in the same volume (154-155). “… If it was near genocide, well, things happen,” he notes sardonically in *On Western Terrorism*; indeed, it was “as close to genocide as anything that happened” in the postwar period (Chomsky, *On Western Terrorism*, 145, 144). “Near-genocidal” is likewise the preferred usage in Chomsky, *Deterring Democracy*, 188.

international law scholar Richard Falk describes as a prelude to genocide that ‘should remind the world of the famous post-Nazi pledge of never again.’” In Making the Future, Chomsky again quotes Falk’s accusation that “to persist with such an approach under present circumstances is indeed genocidal, and risks destroying an entire Palestinian [Gazan] community that is an integral part of an ethnic whole.” – the only oblique reference I have seen in Chomsky’s work to the “in whole or in part” language of the UN Genocide Convention.

Genocide: Politicization and Misrepresentation

The extended discussion of Cambodia, above, made it clear that Chomsky often explores a “genocide” framing in the context of perceived distortions and cynical misapplications of the term by US leaders and commentators. Its discursive power, in such cases, is co-opted to serve an imperial political agenda.

Nicaragua/The Miskito Indians. In the early 1980s, the new Sandinista government of Nicaragua undertook repressive measures, including localized atrocities, against Miskito Indians on the country’s Atlantic coast, some of whom had taken up arms with Contra forces mobilized and armed by the CIA. In June 1985, President Reagan (Chomsky writes) “chimed in with the news that the Sandinistas are conducting a ‘campaign of virtual genocide against the Miskito Indians.’” There were “major atrocities, no doubt,” Chomsky states, “but [they were] undetectable in the context of the behavior of the United States and its clients in the region.” He scornfully notes that “Elie Wiesel flew down to witness their plight and evoke the conscience of the nation over it; in contrast, the revered moralist and Nobel Peace Prize laureate found himself unable to manage even a private communication to the government of Israel to ask that they cease their contribution to ongoing genocide in Guatemala, with tens of thousands of Indians slaughtered.” Elsewhere, Chomsky, quoting the Council on Hemispheric Affairs, declares the accusations against the Sandinistas to be part of “a steady stream of calumny directed at Managua, charging the ruling Sandinistas with everything vile: drugrunning, genocide, subverting their neighbors, and now international terrorism.” The charges, Chomsky notes, “have not ‘been burdened with evidence’ [again quoting the Council], but are reported with only rare attempts at evaluation.”

Another example of politicized accusation, according to Chomsky, centers on the claims issued by supporters of Israel to fend off criticisms of the state’s policies. “Since the Six-Day War, critics of one or another aspect of Israeli policy have been subjected to ridiculous accusations and childish distortion. They have been portrayed as supporters of terrorism or even genocide, or as opponents of democracy.” “To deal seriously with the issues was not easy,” he writes later in the same text. “It was much more convenient to denounce one’s enemies as totalitarians, radical-chic suburbanites, anti-Semites, or backers of Arab genocide.”

During the 1990s, while striking a faintly accommodating stance toward claims of genocide in Bosnia (see note 12), Chomsky ridiculed them in the case of Kosovo, arguing that they were spuriously advanced in order to justify “humanitarian” (actually, he claimed, imperial) intervention in the territory. To the assertion by Timothy Garton Ash that the Kosovo intervention of 1999 was “‘absolutely right,’ because it passed the ‘very high … threshold for such humanitarian intervention, … Something approaching genocide, by the killing or “ethnic cleansing” of large numbers of its people’ by the Serbian government,” Chomsky responded mockingly: “Surely this establishes the

115 Chomsky and Pappé, Gaza in Crisis, 7. Gaza in Crisis consists of interwoven contributions from both Chomsky and Israeli scholar Ilan Pappé. Included in Pappé’s commentary is a detailed consideration of whether Israeli policy toward Gaza constitutes “A Genocidal Policy?” (section heading, 191). Likewise, the volume On Palestine, also co-authored by the pair, features a chapter titled “A Brief History of Israel’s Incremental Genocide in Gaza,” with regular references to the italicized concept (Noam Chomsky and Ilan Pappé, On Palestine [Chicago: Haymarket Books, 2015]). This is again exclusively Pappé’s work, though it is notable that Chomsky (a) validates the usage, to a degree, by participating in the joint projects, and (b) does not directly contest Pappé’s designation and conceptual framing.

116 Chomsky, Making the Future, 33.

117 Chomsky, The Chomsky Reader, 354.

118 Chomsky, The Culture of Terrorism, 243.

119 Chomsky, Turning the Tide, 78.

120 Chomsky, Middle East Illusions, 110, 133. Both quotes were originally published in Peace in the Middle East? (1974).
case and justifies the praise for the altruistic leaders opening a new era of enlightenment. And so it might, if the claims had any relation to the facts.”

In *A New Generation Draws the Line*, he cited and lauded “a rare exception” in media coverage, *The Wall Street Journal,* which devoted its lead story on December 31 to an in-depth analysis of what had taken place. The headline reads: “War in Kosovo Was Cruel, Bitter, Savage; Genocide It Wasn’t.”

The conclusion contrasts rather sharply with wartime propaganda. A database search of references to “genocide” in Kosovo for the first week of bombing alone was interrupted when it reached its limit of 1,000 documents. *Hysterical exaggeration* of the enemy’s unfathomable evil is a classic feature of propaganda, particularly when it is recognized, at some level of awareness, that the case for resort to force is weak.

- Perhaps this is also the place to note Chomsky’s commentary on *Darfur,* likely the case that has attracted the greatest attention in the genocide-prevention community since the turn of the millennium. Prompted on the subject by David Barsamian, Chomsky responded ambivalently, but in ways that highlight the utility and convenience of the accusations for the political and intellectual powers-that-be:

  … Darfur is a big issue in the United States and the West now, and a very convenient one. It’s convenient because there are *major atrocities* undoubtedly being carried out by an official enemy. You can attribute the atrocities to Arabs, so it’s perfect. Just the kind of atrocities we love. Of course, there are no serious proposals to do anything about them. … It’s also a complicated issue, not simply an issue of evil Arabs, a terrible tyrant carrying out *genocide,* the sort of standard story here, which has some element of truth to it but is by no means the whole story.

In keeping with these skeptical and critical assessments are Chomsky’s statements in probably the most extended genocide-specific commentary he has published, and to my mind the most noteworthy. I refer to his relatively recent (2010) foreword to Herman and Peterson’s *The Politics of Genocide.* Here Chomsky decries “the vulgar politicization of the concept of genocide,” and links it to the “emerging international norm” – Condoleezza Rice’s words – of military intervention on “humanitarian” grounds. Both the “vulgar politicization” and the “emerging … norm,” Chomsky writes, “appear to be products of the fading of the Cold War, which removed the standard pretexts for intervention while leaving intact the institutional and ideological framework for its regular practice …”

The norm is exclusively the province of “the traditional imperial powers,” he contends, something “that should hardly come as much of a surprise.” He then concludes the foreword with a sentence that merits printing in bold type:

> As for the term “genocide,” perhaps the most honorable course would be to expunge it from the vocabulary until the day, if it ever comes, when honesty and integrity can become an “emerging norm.”

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121 Chomsky, *Hegemony or Survival,* 55.

122 Chomsky, *A New Generation Draws the Line,* 94-95. See also this from the excerpt on “Imperial Grand Strategy” in *The Essential Chomsky:* “By now, the only way to attack a much weaker enemy is to construct a propaganda offensive depicting it as an imminent threat or perhaps engaged in *genocide,* with confidence that the military campaign will scarcely resemble an actual war.” Chomsky, *The Essential Chomsky,* 395.

123 Chomsky, *What We Say Goes,* 181. For a rare moment of comic relief, we might also cite Chomsky’s reference to an imagined invasion of the US by United Nations forces in league with space aliens. The US “is very disturbed,” he noted in *Understanding Power:* “There’s complete disaffection about everything. People don’t trust anyone … And when you talk about the mood of people – well, whether it’s on right-wing talk radio, or among students, or just among the general population, you get a very good reception these days for the kinds of things I talk about. But it’s scary – because if you came and told people, [President] Clinton’s organizing a UN army with aliens to come and carry out *genocide,* you’d better go to the hills,” you’d get the same favorable response. That’s the problem …” Chomsky, *Understanding Power,* 396.


125 Ibid., 12.
There could hardly be a more distilled articulation of Chomsky’s deep distrust of the “genocide” concept than this call to “expunge” it from contemporary political discourse. And yet, we have seen throughout this article that Chomsky has regularly deployed the term, albeit often in quoted or qualified form, to bolster the political and polemical force of his own critique. Does the verdict rendered in the *Politics of Genocide* foreword indicate that he is abandoning it as too hopelessly compromised for further use?

**Genocide and Humanitarian Intervention**

The preceding discussion may suggest that Chomsky considers military interventions on “humanitarian” grounds to be ruled out by their inherently imperial character. This does not quite do justice to his pronouncements on the subject, however. Consider the following arguments, in which what is *not* said, or is implicit, is as interesting as what is stated outright.

- **Impunity vs. principle.** In discussing the 1999 US bombing of Kosovo in *On Western Terrorism*, Chomsky noted the trial where Yugoslavia brought a case against NATO for the bombing to the International Court of Justice … the United States excluded itself from the case and the Tribunal agreed because *one of the charges mentioned was that it was a genocide*, and when the United States signed the Genocide Convention after 40 years, it had a reservation saying it was ‘inapplicable to the United States,’ and so therefore the Court rightly excused the United States from prosecution.

  For Chomsky, this shows “there are literally legal barriers established just in case anyone dares to try to bring some charge against the powerful.”[^126] This does not constitute a judgment on military interventions in genocide and other mass atrocities, however – rather on the hypocrisy and impunity that govern those interventions.

  In *Power and Terror*, Chomsky delivered some of his few recorded comments on the Rwandan genocide. He was responding to a questioner at the Berkeley Community Theatre in March 2002, who described attending a talk by General Roméo Dallaire, in which the leader of the UN’s “Blue Helmets” in Rwanda recounted “how frustrated he was to watch genocide happen all around him when no one seemed to care, none of the world powers seemed to be doing anything. And his basic conclusion was that to him the world was just inherently a racist place …” Chomsky responded:

  First of all, I don’t think what happened was racism, particularly. It’s just that this didn’t matter much. Remember, he was talking about what happened in Rwanda in 1994, but that’s been going on in Burundi and Rwanda for years. Ed Herman and I wrote a book more than twenty-three years ago in which we discussed the Hutu/Tutsi atrocities in Burundi and Rwanda, in which hundreds of thousands of people were killed. Nobody cared then, and nobody cares now. Just like in the last two or three years, probably several million people have been killed in the Congo, and it doesn’t really matter, it doesn’t affect Western interests, so you don’t try to do anything about it.

  But they can be any color, any religion, it doesn’t really matter. The principle is, does it affect US interests? … [Dallaire is] talking about something bad, namely our unwillingness to do anything to stop atrocities. But much worse than that, incomparably worse, is our willingness to participate in atrocities. It would have been much worse if we had not only done nothing about that, but in fact had gone ahead and continued to put the guns in the hands of the murderers as they were committing murder.

  I’d be a little cautious. The kind of statement he’s making is correct, but that’s the kind that’s tolerable. So, for example, if you take a look at the *New York Review of Books* this week, there’s a passionate article by the executive director of the Carr Center for Human Rights Policy at Harvard’s Kennedy School of Government, Samantha Power, which discusses our tragic failure to pay attention to atrocities that other people are committing and to do something about them. It’s some profound flaw in our character. Okay, it’s a problem. But a

[^126]: Chomsky, *On Western Terrorism*, 27.
much more serious problem, orders of magnitude more serious – which is not mentioned in the article and which would be unintelligible if it were mentioned – is the fact that we pay very close attention to atrocities and intervene to escalate them, and often even applaud them. … Yeah, it’s bad to overlook the crimes that are committed by others and not to do enough about them, but it’s far more important to look into the mirror and look at what you’re doing yourself and do something about that. So I kind of agree with Dallaire. It seems to me a bad problem, but small on the scale of moral responsibilities or human consequences.127

Note first the frankly flippant and misleading reference to “the Hutu/Tutsi atrocities in Burundi and Rwanda” that have “been going on for years,” as ostensibly described in Chomsky and Herman’s book The Washington Connection and Third World Fascism. Section 3.4.2 of that volume, all of two pages long, addresses Burundi and alleged US complicity in the 1972 genocide of Hutus by the Tutsi regime. “Rwanda” does not appear in the section, or elsewhere in the book.

Relevant is Chomsky’s contrasting of failure to intervene in mass atrocities with complicity in the perpetration and “escalat[ion]” of mass atrocities. One can contest the claim that withholding intervention is “orders of magnitude more serious” than direct perpetration. But Chomsky’s acknowledgments here – that Dallaire’s critique is at least partially “correct” and attests to “a bad problem”; that “it’s bad to overlook the crimes that are committed by others and not to do enough about them” – render somewhat more complicated his thinking about the so-called “Responsibility to Protect” (R2P) and “Will to Intervene” (W2I).

The picture is complicated further when we consult Chomsky’s rather nuanced article on “Humanitarian Intervention” for the Boston Review. There, he argued that “a rational person will recognize that policy flows from institutions, institutions remain stable, and thus intervention is likely to be undertaken, when deemed necessary, for much the same reasons as before” – that is, for reasons of national self-interest. He urged proponents of intervention to recognize that “the leader of such intervention [i.e. the United States] will be a state that is remarkable not only for its violence, impudence, and moral cowardice, but also for its lawlessness, not only in recent years.” He nonetheless offered a qualification: that “intervention undertaken on the normal grounds of power interests might, by accident, be helpful to the targeted population. Such examples exist. The most obvious recent one is Vietnam’s invasion of Cambodia in December 1978 after years of murderous Khmer Rouge attacks on Vietnamese border areas …” He also pointed to “the protection zone that the Bush Administration reluctantly extended to the Kurds in northern Iraq, after tacitly supporting Saddam Hussein as he crushed the Shiite and Kurdish uprisings. Here, public opinion played a decisive role, overcoming the Administration’s commitment to the rule of a unified Iraq by an ‘iron fist,’ whether wielded by Saddam or some clone …” He ended by asking whether the conclusions that a rational observer will draw about US-led ‘humanitarian intervention’ do not answer the question whether such intervention should nevertheless be undertaken. That is a separate matter, to be faced without illusions about our unique nobility. We can, in short, ask whether the pursuit of self-interest might happen to benefit others in particular cases, or whether unremitting public pressure might overcome the demands of the ‘principal architects’ of policy and the interests they serve.128

*Available alternatives.* In the following comments from Rogue States about Kosovo, and the supposed unavoidability of the 1999 military intervention, Chomsky’s focus is not on military interventions as such, but the cynically politicized manner in which the presumed option-set is reduced to them:

A standard argument is that we had to do something: we could not simply stand by as atrocities continued. The argument is so absurd that it is rather surprising to hear it voiced. Suppose you see a crime in the streets, and feel that you can’t just stand by silently, so you

127 Chomsky, Power and Terror, 106-108.
pick up an assault rifle and kill everyone involved: criminal, victim, bystanders. Are we to understand that to be the rational and moral response?

One choice, always available, is to follow the Hippocratic principle: “First, do no harm.”

If you can think of no way to adhere to that elementary principle, then do nothing; at least that is preferable to causing harm. But there are always other ways that can be considered. Diplomacy and negotiations are never at an end. …

To pursue Chomsky’s analogy, one option in confronting a serious crime in progress – let us say an attempted murder – would indeed be to use a weapon to kill or incapacitate the criminal alone. Nothing in Chomsky’s call for consideration of the full range of options would necessarily rule this out.

- **Moral obligations.** I have never forgotten one of Chomsky’s arguments during the Central American wars and genocides of the 1980s – the spur for my own earliest political activism, and for my initial encounter with Chomsky’s work. Addressing US government and media allegations of support by Nicaragua’s Sandinista government for the leftist rebels in El Salvador, Chomsky opined: “Everybody should be sending arms [to the rebels] … It’s perfectly legitimate to send arms to people who finally try to use violence in self-defense against a gang of mass murderers installed by a foreign power.”

  The argument is also implicit in the following passage from an appendix to *Necessary Illusions*. Chomsky first contested whether largescale arms shipments from Nicaragua across the Gulf of Fonseca to El Salvador were conceivable, given that the Gulf “is thirty kilometers wide, heavily patrolled by US naval vessels and SEAL teams and covered by a radar facility on Tiger Island in the Gulf that is able to locate and track boats not only in that area but far beyond.”

  But he then turned the question on its head, declaring it “interesting” that it is taken for granted by hawks and doves alike that it would have been a major crime to provide the defenseless civilian population [of El Salvador] with means to defend themselves against a war of extermination and genocide [again referencing the comments by Archbishop Rivera y Damas, cited earlier] – at least, when the war is conducted by US clients, with US support and, as it reached its climax, direct organization and participation. To have provided victims of Pol Pot with arms to defend themselves, had this been possible, would have been considered a sign of true nobility. It is enlightening that such simple observations as these, and their obvious import, are next to unintelligible.

Likewise, in addressing the UN-sanctioned, Australian-led military intervention in East Timor in September 1999, Chomsky hardly denounces it as an imperialist aggression cloaked in “humanitarian” guise, à la Kosovo. Instead, he limits himself to pointing out how rapidly the Indonesian military shifted from supporting atrocities to permitting the intervention, once the Clinton administration delivered a threat to cut off American military aid. Once again, what he says is what he does not say. He does not criticize the motives of the intervening actors and forces, but limits himself to noting the relative ease with which the intervention was brought about by a simple shift in US policy towards Indonesia’s military power-wielders. It is notable, perhaps, that in the Timor case, the US did not lead the military intervention itself, and that its own interventionist strategy was limited to the threat of a cutoff in military support (viz. the alternative strategies discussed above).

Note also the unexpected tone of the following comments regarding Somalia and Bosnia, in the 1996 book *Power and Prospects*:

> President Clinton agrees that the US must lower its contributions to UN peacekeeping operations while his right-wing adversaries want to go much further, shackling or even ending them. In contrast, they are favoured by over 80 per cent of the public. Half consistently

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131 Chomsky, *Necessary Illusions*, 201.
support US participation, 88 per cent if there are fair prospects of success. Only 5-10 per cent consistently oppose such operations, the remainder varying with circumstances. The effect of fatalities in Somalia [on respondents] was slight, contrary to much pretence. Two-thirds favour contributing US troops to a UN operation to protect “safe havens” or to stop atrocities in Bosnia; 80 per cent take the same position with regard to Rwanda, if the UN were to conclude that genocide is underway. Nevertheless, 60 per cent of the population think the US has “done enough to stop the war in Bosnia” – namely, nothing.\(^\text{132}\)

Chomsky here appears to be on the side of the US public that favors UN peacekeeping operations – certainly a form of humanitarian, indeed military, intervention – and supports the involvement of US troops in such operations to suppress “genocide.” His critique is instead directed against the US for having done “nothing” to stop the Bosnian war. An intriguing contrast seems evident with his post-Kosovo and post-9/11 stances.

The Holocaust: Memory and Propaganda

We saw near the outset of this article that the Nazi genocide is one of two “paradigmatic” genocides in Chomsky’s framings. I also noted that Chomsky has stressed the Roma/Gypsy dimension of the Nazis’ extermination campaigns, together with (unspecified) other targets. The systematic, direct, industrialized element of the death camps makes this genocide unique, in Chomsky’s understanding – but this falls short of an argument for Holocaust (i.e. Shoah) uniqueness.

I have also shown, in considering Chomsky’s statements about the Armenian genocide, that he is attentive to the alleged politicization and manipulation of Holocaust memory.\(^\text{133}\) This guides his commentary on the Jewish Holocaust – rather more than do the events and atrocities of the Holocaust themselves. With regard to the Roma specifically, Chomsky in a discussion with David Barsamian cites an article from the American Jewish Congress Weekly (“a pretty liberal part of the Jewish community”) by “some guy named Edward Alexander, from Americans for a Safe Israel, quasi-[Meir] Kahane, right-wing nuts,” whom he likens to deniers of the Shoah:

> He simply had a phrase: The Nazi genocide of the gypsies is an “exploded fiction.” These gypsy stories are just fairy tales. That’s exactly like the people who say the Nazis never did anything to the Jews. It’s just fairy tales. If people say that about the Jews, we react with contempt, but if you say it about the gypsies, it’s just fine, because who cares about them anyhow? I don’t know much about him, but I suspect the motive there is to monopolize the Nazi genocide [i.e. limit it conceptually to the Holocaust] because you can use it as a weapon for Israel. People like Elie Wiesel go along with this all the time. That shows us how much they actually care about the Holocaust.\(^\text{134}\)


\(^\text{133}\) In doing so, Chomsky has also deployed the language of (generic) “holocaust” as well as “genocide” to reference the Armenian case, as in this passage: “Why are they [Israeli officials] so fixated on denying the Armenian holocaust? That’s very simple. Part of it is that they want to monopolize the image for their own purposes, but the other part of it is that this is the Armenians. They were massacred by the Turks. The Turks are allies, and you don’t want to alienate allies, because that’s much too important. So, if they happened to carry out a genocide, that’s not our business. They’re our allies. Therefore, you don’t talk about the Armenian holocaust.” Chomsky, \textit{Chronicles of Dissent}, 216. I have also found references to (small-h) “holocaust” in references to East Timor (with Herman; see above), and once (uncontroversially) to a possible “nuclear holocaust” (\textit{American Power and the New Mandarins}, reprinted in Chomsky, \textit{The Essential Chomsky}, 72).

\(^\text{134}\) Chomsky, \textit{Chronicles of Dissent}, 217. I have not been able to locate a link to Alexander’s original article. In the same discussion, Chomsky connects the cited Alexander comment to the controversy surrounding “the Faurisson affair,” in which a statement of his, defending the right of that gas-chamber denier to publish his views freely, was used by his (Chomsky’s) French publisher as the preface to “a book in which Faurisson defends himself against the charges soon to be brought against him in court” (see Chomsky, “His Right to Say It”). For Chomsky, this was a simple matter of defense of civil liberties, at a time when Faurisson, for his denialis, declaration, was the subject of legal proceedings by the French state: “... Just as I support the right of American war criminals to teach in American universities, even at the time when their research is being used for war crimes, I support the right of people to say whatever horrendous thing they like, even if one doesn’t like it. So for example, if the Journal of the American Jewish Congress publishes, as it recently did, an article claiming that the Nazi genocide of the gypsies is an exploded fiction, I don’t say that the American Jewish Congress’s editors should be brought to court for Nazi apologetics and for denying an act of
Overseas Jewish organizations such as the Anti-Defamation League of B’nai B’rith, he alleges, “don’t ultimately care about anti-Semitism, what they care about is opposition to the policies of Israel – in fact, opposition to their own hawkish version of the policies of Israel. They’re Israeli government lobbies, essentially ...” Hence they readily, even eagerly engage in a “vulgar exploitation of the Holocaust ... to justify oppressive control over others.” The Shoah is “very consciously manipulated,” Chomsky tells Barsamian in Chronicles of Dissent. “I mean, it’s quite certainly real, there’s no question about that, but it is also undoubted that they manipulate it, in fact they say so. ... That kind of manipulation is really sick.”

Probably the most frequent example he cites of such Holocaust “manipulation” is the first, in a historical sense: the Zionist exploitation of both the Holocaust and its “wretched survivors” in the immediate postwar period, to bolster Jewish immigration to Palestine at the expense of other possible destinations. “… It is likely that many – perhaps most – [survivors] would have chosen to come to the United States had this opportunity been offered, but the Zionist movement, including American Zionists, preferred that they settle in a Jewish state, a story being relived today [in the 1980s] with Jewish emigrants from the USSR.” In Propaganda and the Public Mind, he describes “people dying in displaced persons camps. The Jewish community made virtually no effort to try to have them admitted to the United States,” with the exception of “the American Council for Judaism, which is off the main spectrum and was anti-Zionist. But the major Jewish organizations didn’t do much. In fact, they did very little, and very few Holocaust victims made it to the US.”

Anti-Semitism is part of the explanation, and Chomsky describes contemporary personal experiences of it in these passages and elsewhere. But he clearly considers the influence of “Zionist emissaries [who] took over the camps,” and their supporters in diaspora communities, to have been the primary factor. The stance of successive US governments toward the Holocaust has been similarly unprincipled, in Chomsky’s view. Only after the Six-Day War, with the forging of an alliance with Israel as an American proxy in the Middle East, did you start getting concern about the Holocaust. Before that, when people [in the US] could have actually done something for Holocaust victims – say, in the late 1940s – they didn’t do anything. That changed after 1967. Now you have Holocaust museums all over the country. It’s the biggest issue, and you have to study it everywhere, mourn it. But not when you could have done something about it.

Chomsky, Understanding Power, 52.


Chomsky, Chronicles of Dissent, 70. Chomsky also contrasts “Israelis who think they can kill anybody, because they think that they have the New York Times, Yad Vashem and the Holocaust Museum behind them” (Chomsky, The Common Good, 97) with more honorable Jewish/Zionist voices, such as Nahum Goldmann, a “very conservative and very honest Zionist leader” (Chomsky, Chronicles of Dissent, 70) who served as “President of the World Zionist Organization from 1956 to 1968” (Chomsky, The Fateful Triangle, 98). “At the beginning of the Jewish New Year, in October 1981, he wrote: ‘We will have to understand that Jewish suffering during the Holocaust no longer will serve as a protection, and we certainly must refrain from using the argument of the Holocaust to justify whatever we may do. To use the Holocaust as an excuse for the bombing of Lebanon, for instance, as Menachem Begin does, is a kind of “Hillul Hashem” [sacrilege], a banalization of the sacred tragedy of the Shoah, which must not be misused to justify politically doubtful and morally indefensible policies’” (Chomsky, The Fateful Triangle, 98).

Chomsky, Propaganda and the Public Mind, 212.

Chomsky and Pappé, On Palestine, 44.

Chomsky, What We Say Goes, 128-129.
He allows that "a kind of guilt feeling [could also be] involved, because the role of the United States during the Holocaust was awful, before and during. They didn’t act to save Jews, and they could have in many respects." \(^{143}\)

Thus, as throughout his voluminous writings, interviews, and public talks on diverse subjects, Chomsky emphasizes self-interest, intellectual inconsistency, and moral hypocrisy and cowardice. In this case as in others, it leads him to focus on the political manipulation of Holocaust memory, rather than the facts of the Holocaust. The latter, however, he does not dispute, whatever the insinuations of his many detractors.

**Conclusion**

Noam Chomsky’s approach to the discourse of “genocide” may best be described as conflicted. On one hand, he is justifiably cynical about the manipulative and politicized ways in which the term has often been employed, notably by those in positions of political power and media prominence. This is intensified by the term’s deployment against designated enemies (frequently in the context of “humanitarian” interventions); and, contrastingly but correspondingly, the resolute avoidance of “genocide” to inure great powers and their allies to condemnation, and to evade a moral reckoning with the consequences of their own actions, past and present. In one of his most recent comments on the subject, in the foreword to Herman & Peterson’s *The Politics of Genocide*, Chomsky even suggests that the term should be “expunge[d] … from the vocabulary,” until these self-serving manipulations can be addressed and rectified.

No-one would expect the modern era’s most renowned linguistic scholar to be inattentive to language, and Chomsky’s critique displays a profound concern with the way political language can be twisted and abused. At the same time, his activist sensibility, combined with the extraordinary rhetorical power of “genocide,” leads him to a passing – but cumulatively significant – deployment of the term in his huge corpus of work. By referencing a few key statements and assembling numerous fragments, it is possible to discern a framing that favors a totalized or near-totalized understanding of the concept. However, with the exception of Nazi genocide, the destruction of indigenous peoples in the Americas, and possible future genocides, Chomsky’s use of “genocide” is hedged with key reservations and qualifications: one is much more likely to find references to “near-genocide,” “virtual genocide,” or “approaching genocide,” and he is readier to cite others’ claims of genocide, albeit supportively, than to advance them without the attendant quotation marks.

Chomsky, then, offers a reasonably coherent and often forceful critique of the *misuse* of “genocide,” and he also *uses* it for rhetorical and political effect, with the caveats noted. But this is as far as he has been interested and prepared to go. Unlike a couple of his coauthors (Herman and Pappé), Chomsky displays no particular desire to engage meaningfully or systematically with the genocide framing, or to analyze its applications and possible utility. For the most part, one explores this aspect of his writing and speaking not to understand genocide as a concept, but to better understand Chomsky.

But this would be an unsatisfactory note to end on. Chomsky is hardly the first or the only political critic to evince skepticism toward “genocide,” and to downplay or avoid it in his own work. To the extent that Chomsky *has* addressed it, he has provided some useful insights into how, like the other politically-loaded terminology he analyzes, it has been prone to misrepresentation, evasion, and obfuscation, often for nefarious reasons. Much more significant is the formative value of his decades of critique in helping generations of questing, activist-inclined minds – including my own – to penetrate the layers of lies and propaganda that envelop us. Many of us would be less hesitant to label as “genocide” atrocities for which Chomsky generally adopts different terms, or to which he assigns a “genocide” framing only with qualifications. In so doing, though, we would be well advised to draw on Chomsky’s painstaking, exhaustive documentation and dissection of such mass crimes – from East Timor to Guatemala and El Salvador, and to varied forms of structural

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\(^{143}\) Chomsky, *Chronicles of Dissent*, 71-72.
and environmental violence. His is a major, even unparalleled contribution to the study of mass atrocities worldwide, and for this he merits recognition and gratitude.

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Visions of Greater Serbia: Local Dynamics and the Prijedor Genocide

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When the academic community, media, or policy experts mention the Bosnian genocide, it is unclear what they are referring to. Their reference to the event is often twofold. First, the term focuses on the macro-level, failing to disaggregate the intensity, location, and timing of violence. In other words, the term is used unwittingly to lump various events into a single, coherent story. The problem is that by lumping events into a unified story, the idiosyncrasies that define the various localities are lost in exchange for a simplified understanding of a rather complex and dynamic phenomenon. Second, the term is commonly used in reference to the atrocities committed in Srebrenica. Though this event is noteworthy and stands as the quintessential example of the type of violence the international community vowed would never again happen, it does not give a full account of what occurred during the war.

By taking a closer look at the meso-level, we see that the genocide in Bosnia was a coordinated campaign that extended across numerous municipalities, varying in time of execution and severity. The meso-level is a tool that studies violence at an analytical level below the nation-state. Aside from offering insights into subnational regions and localities, the meso-level is also “the least developed among the three prongs of genocide research.” For the purposes of this paper, I utilize the meso-level to investigate the episode of genocide that unfolded in the municipality of Prijedor in the spring and summer of 1992. The case of Prijedor is important for several reasons. First, Prijedor accounted for the most deaths in northwestern Bosnia, and the third most deaths out of any municipality during the war. Second, Prijedor was situated in the strategically important location known as the Serbian Arc, where the Bosnian Serbs sought to link the Bosnian Serb populations of Serbia proper, eastern Bosnia, northwestern Bosnia, and Croatia, under the Greater Serbia umbrella. Third, Prijedor accounted for a total of twenty-eight concentration camps – a significantly high number that included the notorious camps of Keraterm and Omarska.

I argue that structural control and agent collaboration highlight the factors that contributed to the escalation and radicalization of violence to genocide in Prijedor. This causal argument

3 It is important to note that there have been many prosecutions for crimes committed in Prijedor by the ICTY, most notably the cases of Radovan Karadžić and Ratko Mladić, but the court has deemed these crimes short of genocide. In fact, from an international legal perspective, only the case of Srebrenica was deemed genocide.
6 United Nations Security Council (UNSC), The Final Report of the Commission of Experts Established Pursuant to Security Council Resolution 780, December 28, 1994 (UN Doc. S/1994/674/Annex VIII, Prison Camps), 22: 185-267. The report lists 36 total camps, but only 28 that can be corroborated. It is also important to note that there were vast differences between concentration camps. Some were larger in size, whereas others were garages and smaller spaces. Pages 185-267 of the report include a more detailed account of the concentration camps.
emphasizes why Bosnian Serb elites – national, local, military, and paramilitary – were able to achieve the goals of Greater Serbia by combining their efforts through effective political and territorial dominance of Prijedor. This theoretical contribution is critical for several reasons. First, it builds on the existing literature in the strategic and ideological paradigms proposed by second-generation genocide scholars. However, it deviates on causal grounds. War (as proposed by the strategic paradigm) and exclusionary ideology are important to the story, but not as explanatory variables. War and exclusionary ideology set the stage for which cases are more likely to intensify, but to explain how and why violence ultimately escalates to genocide, we need to consider the dynamic relationship between structural factors and agents. Second, it suggests that previously established causal mechanisms pertinent to the national level may not apply to the local level. Thus, I intend to highlight how political authority, territorial bases, and the participation of local elites, are more suitable for explaining genocide at the subnational level.

**Genocide: A Multi-Dimensional Conceptualization**

Genocide has attracted considerable scholarly attention across the humanities, legal studies, and social sciences. Unpacking the various conceptual disagreements is beyond the focus of this paper, but it is an area that deserves development, if scholars want to speak to each other across and within disciplines. For this paper, I employ Scott Straus’ definition of genocide. Genocide is “large-scale, organized, group-destructive violence that targets a specific social group in a territory.” This definition distinguishes genocide from other forms of political violence based on two characteristics: group-selectivity and group-destructiveness.

Moreover, I conceptualize genocide as part of a multi-dimensional political violence framework where different tiers of intensity and group-targeting are possible. The purpose of such a dimension is to illustrate that genocide is a process of violence that perpetrators may escalate to over time. It can occur in the early stages of violence, later into the fighting, and in some instances, we may even see a de-escalation of violence. By understanding genocide as a process, we can move beyond the notion that it is a fixed event, or an isolated incident that can be studied independently of the greater political violence context. Perpetrators have an array of strategies in the political violence process, and my goal is to understand how and why the most extreme strategy unfolds. One dimension of the political violence framework includes the level of intensity. Limited violence represents the lowest level of intensity, while a full-scale war represents the highest level of intensity. The second dimension includes levels of group-targeting. In cases where groups are not targeted, we should see regular, combatant-targeted violence ranging in levels of intensity, while cases of group-targeting should range anywhere from discriminatory and exclusionary social policies directed at a specific group to mass killings or genocide.

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Figure 1. Political Violence Framework

This framework establishes four quadrants applicable to the universe of political violence cases. For this paper, I am specifically interested in Quadrant C. I focus on why the case of Prijedor was not Quadrant D violence, like the siege of Sarajevo, for instance, which represents a case of civil war violence between combatant groups.\(^{10}\) Relatedly, I focus on the factors that account for escalation and radicalization of violence in Prijedor, whereby the perpetrators engaged in high-intensity violence, but rather than confining their violence to the traditional theater of warfare, they committed genocide against an ethno-religious group.\(^{11}\)

**Strategy, Ideology, and Shortcomings**

The development of genocide literature within the discipline of political science has evolved from traditional explanations focusing on ancient hatreds, authoritarian regimes, and scapegoating, to the dominant camps centered on the strategic and ideological paradigm.\(^{12}\) The strategic paradigm views policies of genocide and mass violence developing in response to real or perceived threats and generally occurring during times of internal instability or warfare.\(^{13}\) Benjamin Valentino

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11 For other helpful frameworks, see Anthony W. Marx, “The Nation-State and Its Exclusions,” Political Science Quarterly 17, no. 1 (2002), 103-126, accessed March 27, 2019, [https://doi.org/10.2307/798096](https://doi.org/10.2307/798096); and Straus, Retreating from the Brink, 343-362, accessed March 25, 2019, [https://doi.org/10.1017/S1537592712000709](https://doi.org/10.1017/S1537592712000709). Marx examines cases of exclusionary nationalism but leaves out “ultimate exclusion” or genocide from his framework and argues it deserves a distinct analysis. Straus provides a “Ladder of Violence,” which shows the factors of escalation and restraint. Leaders can move down the ladder and increase levels of violence or move up the ladder and decrease levels of violence.


13 Barbara Harff, “No Lessons Learned from the Holocaust? Assessing Risks of Genocide and Political Mass Murder since 1955,” American Political Science Review 97, no. 1 (2003), 57-73, accessed March 27, 2019, [https://doi.org/10.1017/](https://doi.org/10.1017/)

posits that genocide is more likely to occur during war because of the uncertainty and threats perceived by elites. Therefore, elites – both military and political – are critical for organizing mass violence because of their own beliefs, fears, hatreds, or interests, and are driven by instrumental, strategic calculations in pursuit of their goals.14 Manus Midlarsky argues that elites will perpetrate genocide in the context of loss, especially territorial. The presence of war leads to instability and vulnerability amongst groups, and when these groups suffer losses during wartime, they are more likely to engage in “imprudent realpolitik” by framing civilian groups as enemies and threats. Thus, the strategic paradigm draws several conclusions linking war to genocide: war creates threat and uncertainty, and threat and uncertainty increase the likelihood that violence will be used in response. Also, war increases the likelihood that members of the opposing group will be labeled as enemies, which will prompt the use of military violence against the perceived or real enemy.15

On the other hand, scholars situated within the ideological paradigm argue that to understand genocide, one needs to understand the ideologies that manifest in the thought process of elites. Elites possess certain ideological visions that constitute a legitimate form of the state. Certain groups fit this standard, while other groups pose a threat to the purity or utopia of an ethnically or religiously homogeneous society. Jacques Sémelin posits that leaders seek to exterminate social groups from certain territories to purify their own group and society. To accomplish this, elites will seek to unify in-groups to create fear and hostility toward out-groups, or enemies. By stressing unity, efforts to create purity lead to desires to eliminate these out-groups.16 Eric Weitz argues that leaders have grand ideological quests for utopian societies based on common group characteristics. The leaders see themselves as revolutionaries seeking a better future based on extreme exclusionary policies.17 These themes are also present in Ben Kiernan’s historical account of genocide from ancient Sparta to modern-day Darfur. Kiernan establishes four salient features and patterns that are present in nearly every case of mass violence: cults of antiquity, agrarianism, racism or religious prejudice, and territorial expansion.18

So, what is missing? What is it about ideology and strategy that fails to explain the onset and process of genocide? For one, both include explanatory variables that occur more often than genocide. Although the strategic paradigm has made significant strides in emphasizing the importance of warfare as the backdrop for genocide, wars are still more common than genocide. How do we account for the non-cases of genocide that had similar patterns of warfare present? Additionally, the strategic paradigm fails to address two other important questions: Why are civilian groups targeted and why is the goal to eradicate these groups from the specific territory?19 The ideological paradigm seems to answer these questions partially. Civilian groups are targeted because they are seen as part of an illegitimate out-group, threatening the existence of the in-group and prospects for a homogenized society. However, just like the presence of warfare, extreme ideologies are also more common than genocide. What about those cases where elites possess extreme notions of in-group and out-group dynamics but do not or cannot initiate genocidal violence?

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It is likely, as Straus argues, that these paradigms should complement one another in seeking to explain genocide. Although I do not disagree that these paradigms do a better job explaining such a rare event together rather than independently, I argue that they do not present the causal mechanisms for explaining how and why genocide was executed completely. To do this, I turn to the discussion of the meso-level before presenting two additional factors, structural control and agent collaboration, in explaining the escalation and radicalization to genocide.

Meso-Level Analysis

The aforementioned literature almost exclusively focuses on the national level of analysis to explain genocide. A common theme is to select major twentieth-century cases and compare them. Although this has increased our empirical and theoretical understandings of this dynamic type of violence, it has also led to what Barbara Geddes refers to as “the selection bias in comparative politics.” By selecting on the dependent variable, scholars are justifying their case selection strategies on cases that share a common outcome, rather than common features that may have led to differing outcomes. One way to remedy this is to study negative cases, a solution proposed to scholars working in the comparative genocide literature. By studying the non-cases of genocide, scholars can determine which conditions are more likely to lead to genocide through careful, and methodologically strong, controlled-comparisons.

Another issue that arises is the neglect of the local level. Referring to an event as the Armenian, Bosnian, or Rwandan genocide does not account for variation within those specific cases. Where in Bosnia did genocide occur? What was the timing and severity of the violence in a specific municipality? What local actors played a crucial role? How did they interact with national actors and various state institutions to carry out this violence? To answer these questions, another strategy, as argued on the onset of this paper, is to narrow the focus to a more intimate level of analysis. Therefore, a subnational analysis serves as another remedy. As argued by Charles King,

episodes of social violence, whether riots or atrocities committed during civil wars, may well be patterned, but they do not occur uniformly across time or space. There are lulls and peaks. Violence comes to different cities, towns, and neighborhoods at different times. It plays out differently in various social contexts, even with a series of violent events that are lumped together as a single ethnic conflict or civil war.

Rather than simply referring to the violence in Bosnia as the Bosnian genocide or equating it with the event at Srebrenica, I seek to examine the episode of Prijedor to better understand how and why violence escalated. Particularly, I want to know why violence reached high-levels of intensity and group-targeting, making Prijedor one of the deadliest municipalities during the war, with a significantly high number of concentration camps. By doing so, national level factors – government institutions, national leaders, and presence of internal instability and war – remain constant, and the importance of locality, and particularly the role of local elites can be examined. By bringing in the role of local elites and how they interact with national elites and institutions, we can begin to understand the phenomenon of genocide more holistically.

Scholars working in the tradition of political violence have employed such a technique to gain new empirical and theoretical insights into civil war violence, intercommunal rioting, and genocide. My goal is to use a similar methodological technique to gain additional empirical and

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24 Ashutosh Varshney, Ethnic Conflict and Civic Life: Hindus and Muslims in India (New Haven: Yale University Press, 2002); Stathis Kalyvas, The Logic of Violence in Civil War (Cambridge: Cambridge University Press, 2006); Straus, The Order of
theoretical insights into an underdeveloped case. Although my analysis is a single-case study, I propose that the “micro-political turn,” to quote King, allows me to account for causal mechanisms missing when simply looking at the national level. This preliminary theoretical exploration can serve as a step for future comparative subnational analyses across other municipalities in Bosnia, and even other countries and regions.  

Argument

Before delving into the argument, it is important to emphasize the role the ideological and strategic paradigms have in explaining the phenomenon of genocide. Their complementary nature is a step forward, not as explanatory variables, but rather as scope conditions. As scope conditions, both the strategic and ideological paradigms specify the parameters to which the causal argument applies. In other words, by identifying cases of internal instability and/or war, whereby elites exhibit exclusionary ideologies of in-group and out-group dynamics, researchers can establish a proper universe of “at-risk” cases. These cases should be alarming and should signal to the researcher or policymaker that certain conditions are in place for what could be a future case of genocide.

Wars favor genocide because they justify killings as a policy. The perpetrators of the violence see out-groups as enemies, leading to fear and uncertainty, and ultimately a legitimization to use violence to eliminate the perceived or real threat. The empirical reality confirms this: genocide most always exists in the context of warfare. That being said, the presence of war still greatly exceeds the presence of genocide. War does not effectively explain cases under similar conditions that never led to genocide.

Additionally, exclusionary ideology is the “totalizing system of meaning based on pronounced in-group and out-group distinctions permitting no shared forms of identification between groups and premised on a radical devaluation of the out-group.” The dangers of elites harboring exclusionary ideologies are twofold. First, these ideologies create immense divides between different social groups. The in-group is seen as a legitimate part of the envisioned state and the out-group is seen as illegitimate. Second, exclusivist ideologies seek to target and dehumanize out-groups through various methods ranging from discrimination to forced assimilation or expulsion. As Verdeja notes, exclusivist ideology “achieves its greatest resonance when it exaggerates, and perverts already recognized differences between groups.” But if elites harbor exclusionary and fanatical ideas, and wish to act on these, what allows them to achieve their goals of eliminating the out-group? And if the presence of war overdetermines genocide, what other factors are necessary to explain a rare, but extraordinary phenomenon?

To build on these scope conditions, I posit that the presence of structural control and agent collaboration help us understand which “at-risk” cases could spiral into genocidal violence. Structural control refers to adequate political authority and territorial bases. Adequate political authority may include effective political institutions, weak state capacity, total collapse of an effective central government, and support from neighboring states or other international allies to mobilize against possible suppression from the state. If elites within a group are the main perpetrator of the violence, then we should expect them to establish effective political institutions that rival the state or are in place of a failing or failed state government. The group may also be supported by a nearby ally that offers military power and resources to thwart the current regime.

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26 Harff, *No Lessons Learned from the Holocaust?*. In her quantitative analysis, Harff finds that out of 37 cases of genocide between 1955 to 1998, “all but one occurred during or immediately after political upheaval.”


If the state is the main perpetrator of violence, then we should expect a lack of effective opposition since the state is already in power and more dominant than any potential opposing group. In this case, the state will have control of political institutions and might also be supported by neighboring states. By perpetrating the violence, we would expect a functioning central government capable of exerting force against targeted groups with little to no resistance.

Elites within a group must also have territorial bases to effectively mobilize, whether within the state or in a neighboring country. Again, if the state is the main perpetrator of the violence, then it will not have an issue with establishing territorial bases since the state’s entire territory should be the base. But for elites in groups seeking to perpetrate violence, it is crucial that they have effective military positions to mobilize personnel and escalate their violence against the out-group.

Thus, structural control – political authority and territorial base(s) – increases the likelihood that wars will escalate to genocide. If elites do not possess effective political authority and territorial bases, they will most likely be in several disadvantageous positions. It could be that the group or state is overpowered and their goals of executing more extreme violence are upended. It could also be that the group or state is in a two-sided combatant battle, which would be a civil or ethnic war. In such an instance, genocide is unlikely to occur since the perpetrators must allocate their personnel and resources for fighting an effective resistance. Thus, for genocide to be executed, the perpetrators need unmatched, one-sided political authority and territorial control.

But how much structural control is necessary for genocide to occur? In Kalyvas’ seminal work on civil war violence, he argues that “selective violence can only take place in those areas where control is complete enough for denouncers to denounce, but not so complete that defectors have either fled or simply ceased to be of concern to the political actor.” In other words, Kalyvas argues that we should expect civil war violence under areas of dominant control. Establishing dominant control in civil wars is useful for two reasons: First, civil wars are armed conflicts between groups within a state. The actors involved, as noted by Kalyvas, may involve combatants and noncombatants. However, the main purpose of the violence is not the physical extermination of a group from a specified territory, but rather their compliance. Second, in civil wars, the actors – incumbents or insurgents – who have dominant control have already placed the target group under their authority. Their goals have been effectively met and the escalation of violence is less likely to occur.

In genocide, the presence of dominant control is not enough. To escalate and radicalize violence, perpetrators need to establish complete control. If perpetrators seek to physically exterminate an out-group from a specified territory, then they will need to display more control than needed in civil wars to achieve their goals. Unlike civil wars, placing the out-group under your authority does not achieve the goals in mind. The goal is purity, a utopian society that can rid itself of an illegitimate group altogether, and complete control increases the likelihood of exclusionary ideologies coming to fruition.

Kalyvas argues that violence during civil wars may be perpetrated under instances of complete control if rival actors are engaged in indiscriminate rather than selective violence. I argue that complete control is also more likely when perpetrators engage in extreme selective violence, or genocide. What makes genocide selective is not the private information actors receive about individuals, the basis for civil war violence, but rather two important factors: the identification

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31 Kalyvas,* The Logic of Violence in Civil War*, 209.
32 Ibid., 196-197. Kalyvas outlines Zones of Control. Zone 1 represents full control by the incumbents, while Zone 5 represents full control by the insurgents. Zone 3 represents a state of parity, while Zones 2 and 4 represent dominant control by the incumbents and insurgents, respectively.
33 Ibid., 209. Kalyvas’ argument centers on civil war violence, thus, he differentiates indiscriminate violence from selective violence. Actors are more likely to rely on indiscriminate violence when resources and information are unavailable, whereas those actors participating in selective violence have received the necessary information needed. My argument centers on genocide, which is a more extreme form of violence than civil wars, but nonetheless, selective. The perpetrators of genocide identify target groups and members within those target groups for extermination. This
of members belonging to the out-group based on ethnic, national, racial, or religious differences and the identification of individuals within those groups – often community leaders and men of military age – who perpetrators especially want to eliminate due to their prestigious or threatening status.

Likewise, agent collaboration is equally important for violence to escalate to genocide. Genocide is a radical and cumulative process, so it is crucial to understand the behavior and policies of agents at different levels of the state. The types of agents include key decision-makers in positions of power, such as national elites, local elites, the military, paramilitary groups, and so on. Everyday civilians can and do certainly participate, but such a systematic event cannot occur without effective leadership. Thus, national elites are important because genocide is destructive, organized, and sustained violence over a particular territory that requires the participation of various actors and institutions. The state or group must have considerable administrative force to execute systematic massacres across a country or region. Additionally, national elites often implement strategic goals they wish to achieve. By outlining clear objectives, national elites are at the top of the chain of command and their orders are directed down to military commanders, paramilitary groups, police forces, and local civilian leadership across the country or region. Because genocide is a systematically organized event, national elites must present clear goals at various stages of the process, namely, preplanning and coordination, execution of violence over groups in specified territories, and the expulsion phase through ethnic cleansing and mass killing.

Local elites are important because they can identify the out-group members living in villages, cities, and various other localities that national elites have identified for execution. Local elites are also important because their participation is crucial, especially since they often live in the same territory as members of the out-group. To participate in the violence, local elites must effectively gather information on members of the group by identifying important community members – academics, business leaders, medical professionals, politicians, and religious figures – that must be eliminated. By eliminating leaders of the community, the consciousness of the out-group is depleted. Moreover, local elites need to identify whether members of the out-group have attempted to flee or gone into hiding in nearby villages. Because local elites are familiar with their specified localities, the ability to capture and place members of the out-group into concentration camps is very useful before ultimately deciding whether to forcibly remove or kill them. Lastly, local elites are tasked with national policies, but their responsibility to execute these policies may vary as they see appropriate for their localities. Thus, genocide requires the persistent interaction between agents at different levels of the state. Agent collaboration also accounts for the overemphasis on the national level as seen in previous studies. National elites are crucial to understanding genocide, but the dynamic nature of genocide, especially variation in intensity and timing, indicates that a greater emphasis must be placed on the local level and local actors.

In sum, my theory is a two-step approach that can be used to account for meso-level dynamics of genocide. The previous literature offers important insights into why genocide occurs; however, two points are worth noting. First, exclusively, neither has the explanatory power to account for the multifaceted nature of genocide. Genocide is far too complicated to be reduced to either strategic or ideological arguments. Second, mutually, both contribute to the absence or presence of genocide by effectively establishing scope conditions for “at-risk” cases. These scope conditions give scholars a realistic universe of cases to examine. By examining these cases, the presence of structural control and agent collaboration offers insight into how and why violence escalates and radicalizes to genocide. Once elites have political authority, territorial bases, and are coordinating their efforts at different levels of the state, then the likelihood of genocide increases. Together, these variables establish a feedback loop, whereby agent collaboration helps establish structural control and greater structural control incentivizes agents to collaborate.

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34 Straus, Retreating from the Brink, 350.
35 Ibid., 351
Methods, Sources, and Case Selection

I employ a within-case analysis of the municipality of Prijedor. The case study approach is a thorough study of a single unit or a small number of units. Since my analysis is focused on a single-case, I do not have the advantage of randomization afforded to large-n scholars. Instead, I rely on the selection procedures available to small-n scholars. I employ what Jack Levy calls the Theory-Guided Case Study. This case study “aims to explain and/or interpret a single historical episode rather than to generalize beyond the data.” Additionally, theory-guided case studies are “explicitly structured by a well-developed conceptual framework that focuses attention on some theoretically specified aspects of reality and neglects others.”

I use both secondary and primary sources, particularly, court documents provided by the International Criminal Tribunal for the Former Yugoslavia. The archives are extensive and include evidence, testimonies, and judgements from cases over two decades. Furthermore, reports prepared by the United Nations Security Council, newspaper clippings, speeches, and secondary sources are used to complement the court documents.

I seek to apply the theoretical insights previously mentioned to a significant, but underexplored historical case. This allows for greater in-depth understanding, a key benefit of the qualitative approach in the social sciences. In the case study approach, there are nine selection techniques identified: typical, diverse, extreme, deviant, influential, crucial, pathway, most-similar, and most-different cases. I employ the extreme case selection technique, which identifies cases for their extreme value on the independent or dependent variable. Within the political violence universe, genocide would be an extreme outcome as highlighted by both its intensity and level of group-targeting. Relatedly, the positioning of Prijedor in Quadrant C makes it an appropriate and important case for investigation.

Prijedor

Prijedor is a municipality located in northwestern Bosnia in the Bosanska Krajina region. It is situated between the town of Sanski Most to the south, the Bosnian-Croatian border towns of

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Figure 2. Meso-Level Dynamics

Methods, Sources, and Case Selection

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Ibid., 4.

John Gerring, Case Study Research: Principles and Practices (Cambridge: Cambridge University Press, 2007), 89, 101-105. One could make the argument that cases could fall into multiple types, but the extreme case is the most relevant for this analysis.
Bosanski Novi to the west and Bosanska Dubica to the north, and the regional capital of Banja Luka to the east. Prior to the 1992 referendum – declaring Bosnian independence from Yugoslavia – the census of 1991 accounted for a total population of 112,740. The population was ethnically intermixed; Bosnian Muslims made up 44 percent of the population, while Bosnian Serbs made up 42.5 percent of the population. This drastically changed as a result of the Greater Serbia campaign. By June 1993, the total population was 65,551. Bosnian Serbs made up 82 percent of the total population, while the Bosnian Muslim population was reduced to just under 10 percent.

**Scope Conditions**

Tensions between the Bosnian Muslims and Bosnian Serbs escalated with the ascension of Radovan Karadžić to political power. If Slobodan Milošević was the mastermind behind the Yugoslav Wars, then Karadžić can be credited for bringing the Greater Serbia campaign to fruition within Bosnia. With a resounding speech to the Bosnian Assembly on October 14, 1991, Karadžić used his political grandeur to threaten the Bosnian Muslim goal of independence.

Do not think that you will not lead Bosnia and Herzegovina into hell, and do not think that you will not perhaps lead the Muslim people into annihilation, because the Muslims cannot defend themselves if there is war – How will you prevent everyone from being killed in Bosnia and Herzegovina?

Karadžić gave a harrowing account of the consequences of possible secession, but he echoed more xenophobic sentiments in private in the lead up to the war. Around the time he gave his speech, Karadžić also met with Warren Zimmerman, the last Ambassador to Yugoslavia, and blamed the “chronic dishonesty” of the Muslims on their leader Izetbegović’s Islamic faith. Stating, “they’re prone to oriental despotism. They’re always cheating us. We can’t stand it anymore.” Ambassador Zimmerman noted that the most startling takeaway he had from that conversation was Karadžić’s portrayal of Izetbegović as a secessionist, even though he was responsible for the creation of a Serbian autonomous region prior to any Bosnian secession.

Following Karadžić’s speech, the Bosnian Parliament passed a resolution on independence the following day. Immediately after, the Serb Democratic Party (SDS) discussed the steps needed to achieve the “homogenization of Serb people and territories.” The top priorities included establishing a separate Bosnian Serb Assembly and holding a plebiscite exclusively for Serbs to determine whether they wanted to remain in Yugoslavia. By October 24, 1991, the Assembly of the Serb People of Bosnia and Herzegovina was established, and by January 9, 1992, the Serbs created the Republic of the Serb People of Bosnia and Herzegovina (later renamed Republika Srpska).

In Prijedor, the Bosnian Serb leadership established local measures by effectively creating parallel governing institutions. This signaled that the Bosnian Serb leadership was not supportive of the Bosnian independence movement, and therefore, on January 17, 1992, the newly established Prijedor Serb Assembly unanimously voted to join the greater Serbian Autonomous Oblast of Bosanska Krajina (ARK). Following the declaration of Bosnian independence on March 1, 1992, three crucial factors made Prijedor an “at-risk” case.
First, the Croatian War was a precursor for the type of violence that would unfold in Bosnia. The Yugoslavia National Army (JNA) needed conscripts, but many Bosnian Muslims and Bosnian Croats chose not to respond to the call in the neighboring country. This created a situation where most of the national Yugoslav military was composed of soldiers of Bosnian Serb descent, creating insecurity among the non-Serb population of Prijedor. Second, a rise in propaganda produced fear among the non-Serb community. Radio and TV broadcasts blocked content coming in from Croatia and Sarajevo, and only permitted broadcasts from Serbia or the Bosnian Serb hub of Banja Luka. At the direction of the Bosnian Serb leadership, Radio Prijedor accused Bosnian Muslim doctors of seeking to reduce the Bosnian Serb birth rate by either sterilizing women or giving pregnant women “special injections” so they would be limited to only giving birth to girls. Relatedly, Bosnian Serb citizens were encouraged to accept a policy of discrimination and exclusion against their non-Serb neighbors or fear the consequence of being labeled “traitors.” Third, by the time war erupted in the cosmopolitan capital of Sarajevo on April 6, 1992, the JNA, now predominately Serb, deployed nearly 55,000 troops to Bosnia. Around the same time, the Bosnian Serbs ramped up their offensive in strategic locations across eastern Bosnia, including Bijeljina, Bratunac, Foča, and Zvornik. War officially commenced in Bosnia, and the stage was set for the violence that would follow in Prijedor a few weeks later.

**Structural Control**
The Bosnian Serb leadership took notable steps in establishing overwhelming political authority and territorial bases throughout the municipality. Politically, the Bosnian Serbs effectively rivaled and ultimately replaced, the original governing institutions with the creation of two bodies: The Bosnian Serb Assembly of Prijedor and the Prijedor Crisis Staff.

The Bosnian Serb Assembly of Prijedor was the local equivalent to the declaration of Republika Srpska. By forming the Assembly, the local Bosnian Serb leadership joined the greater ARK, composed of Bosnian Serb districts throughout northwest Bosnia. These districts were self-proclaimed and were formed as a response to the Bosnian declaration for independence. With the command and structure established nationally – Republika Srpska – and the creation of the Assembly in Prijedor, the next steps involved linking the various regions across Bosnia under the unified Greater Serbia objectives. To achieve this, the Bosnian Serb leadership set up similar institutions called “Crisis Staffs.” Karadžić set guidelines ordering all municipal and regional committees of the SDS to work undercover in preparation for possible war. The Crisis Staffs were ordered to cooperate with the commanders of the JNA, members of the SDS, and the Assembly of the Bosnian Serbs in each locality. According to expert testimony, “the Crisis Staff coordinates functions of authorities with the objective of defending the territory, securing the safety [of people and property], establishing the authority and organizing areas of life and work…the Crisis Staff is obliged to collect information on conditions in the field.”

Territorially, the Bosnian Serbs outpowered the Bosnian Muslims in Prijedor in three ways: through the “ethnicization” of the JNA, the arming of Bosnian Serb residents, and the formation of territorial headquarters for Bosnian Serb operations in Banja Luka.

Nationally, the JNA was relatively multiethnic and composed of soldiers from the various republics prior to 1991. But, by March 1992, except for a minority of Montenegrin soldiers, the army was 90 percent Serb. With the federal army in complete control by the Bosnian Serbs, the JNA began to disarm Bosnian troops and argued that peace and stability could only be secured by handing over weapons. Locally, efforts were then made by the JNA to distribute weapons

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48 Ibid.
50 Bećirević, Genocide on the Drina River, 10.
51 Ibid., 73.
to the Prijedor Territorial Defense units and the Bosnian Serb citizens. Their Bosnian Muslim counterparts received outdated weapons often containing the wrong ammunition, whereas Bosnian Serb residents were equipped by JNA military helicopters that would land several times a day in Serb-concentrated villages of Prijedor. Insofar as weapons were concerned, “only four percent of the Muslims in Prijedor have been licensed to have weapons. Many Muslim and Croats had their applications for a license to carry turned down without any reason given.” The pretext for weapons distribution was that it was a necessary defense against the “enemies of the people” or the Muslim extremists and the Croatian fascists – Ustaša. The weapon distribution phase gave Bosnian Serbs two territorial advantages locally. First, it was coupled with the establishment of checkpoints, which were vital for Bosnian Serb efforts seeking to control the movement of the Bosnian Muslim population in Prijedor. Second, Prijedor had now contained the largest concentration of former JNA weapons and the JNA was conducting training programs for Bosnian Serb residents throughout the municipality. Most significantly, the Bosnian Serbs established their territorial headquarters in Banja Luka – only 55 kilometers east of Prijedor. The region had a well-organized chain of command, and because of the war in Croatia and the proximity to the border, many soldiers were already situated in Banja Luka and ready for the offensive in Prijedor.

Agent Collaboration

Structural control incentivized agent collaboration in the Prijedor municipality, whereby elites at various levels of the state pooled their efforts for the Greater Serbia objectives. At the same time, the ability of elites to collaborate helped establish structural control. This feedback loop is evident when analyzing the actions of Karadžić. Karadžić was crucial in various stages. During stage one, or the propaganda and nationalist rhetoric stage, he was the catalyst for a Bosnian Serb state in a time of deep divide and increasing ethnic tensions. He founded the SDS in Bosnia in 1989 and unified the Bosnian Serb population in the face of Bosnian secession from Yugoslavia. His rhetoric was stern, signaling to the Bosnian Muslims that their efforts would lead to bloodshed, disappearance, and ultimately extinction. All this propelled him to the helm as the first President of Republika Srpska. During stage two, the preplanning and coordination phase, Karadžić assured that the formation of the Crisis Staffs was executed across the country and that these Crisis Staffs coordinate their efforts with the local civilian leadership and military units. During stage three, the execution of the Greater Serbia campaign, Karadžić, along with members of the Bosnian Serb leadership, operated under commander’s intent, best summed up as it is unlikely that Milošević or Karadžić could or need have known about or controlled the details of all operations. Although in some instances direct guidance on what to do was not available, in many cases, ‘commander’s intent’ was more likely used, whereby the leadership could set certain policy goals and assume that subordinates would have the latitude to use virtually any means to achieve them. Subsequent claims by the Serbian and Bosnian Serbian leadership, that they had no control, seem to have been intended primarily to provide convenient plausible denial to the outside world without hampering their policy.

52 Territorial Defense Units were a separate part of the military dating back to the time of the Federal Republic of Yugoslavia. These forces were set up as a “home guard,” or the equivalent of reserve forces. In Prijedor, much like everywhere else, these units were composed of Bosnian Serbs, but some Bosnian Muslim also had their own TO units.
54 Ibid., 30.
With Karadžić at the top of the hierarchal structure, it was the responsibility of local leadership to carry out the command, and in Prijedor this was achieved by the Crisis Staff, Bosnian Serb police, JNA units, and participation of paramilitary groups. According to UN Reports, efforts by the JNA and various paramilitary units were “fully synchronized...all the major Serbian operations started with heavy artillery barrages or the use of tanks as operated by the regular army, and were immediately followed by the onslaught of paramilitary and irregular units working in tandem with regular army infantry.” Moreover, the UN investigators concluded that “there is not one single report to the effect that there was ever a paramilitary or irregular unit working to obstruct or even slightly hinder the objectives of the regular army.”

This was made possible due to the highly organized efforts of the Crisis Staffs. In Prijedor, the Crisis Staff established control over the municipality by arming local Bosnian Serbs, blocking communications of non-Serbs, destroying multiethnic relations throughout the community by spreading propaganda, and providing logistical support to the military through the takeover of industry and production units.

Most importantly, the Crisis Staff implemented the takeover of Prijedor on April 30, 1992. Along with brigades from the JNA forces stationed in Banja Luka and members of the Bosnian Serb police, the Crisis Staff initiated a coup d’état with little to no resistance. By early morning, the Bosnian Serb soldiers established complete control over the Municipal Assembly building, the police station, courthouse, bank, post office, and radio station. That same day, Bosnia flags were replaced with Serbian flags. Non-Serbs were disarmed and asked to pledge loyalty to secure their employment or face termination.

In the weeks following the takeover, the Crisis Staff, JNA, and paramilitary units increased exclusivist measures against Bosnian Muslims and other non-Serbs by firing them from work, prohibiting children from attending school, and restricting the freedom of movement throughout the municipality. These measures extended to the local media too, specifically Radio Prijedor and the local newspaper Kozarski Vjesnik. Both served as vehicles of propaganda for the new Bosnian Serb leadership. Radio Prijedor broadcasted Serbian nationalist or Četnik songs, attacked members of the Party of Democratic Action (the Bosnian Muslim political party), and issued statements comparing Bosnian Muslims to Islamic fundamentalists who were seeking to establish control in the area to wage genocide against Bosnian Serb citizens.

The most haunting measure came on May 30, when Radio Prijedor demanded that all Bosnian Muslims and other non-Serbs mark their homes with white flags and themselves with white armbands; a sign of surrender. It was the first time since 1939 – when the Nazis ordered Polish Jews to wear the Star of David on their sleeve – that individuals of an ethnic or religious group were marked for mass deportation and mass killing. With overwhelming structural control, and coordination at all levels of the state, the Bosnian Serb leadership escalated their offensive that day. Some of these individuals were taken to notorious concentration camps like Keraterm, Omarska, and Trnopolje, while the remaining victims were subject to harassment and beatings. The beginning of the Greater Serbia campaign in Prijedor was underway.

Genocide

Prijedor, along with other strategic municipalities extending across eastern and northwestern Bosnia, was part of the Serbian Arc. The goals were twofold. From a political standpoint, the objective was to unite Serbs living in Serbia, Bosnia, and Croatia under a common government.

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63 Ibid., 63-64.
From a territorial standpoint, this would be achieved by physically linking territories throughout Bosnia, Croatia, and Serbia into a common region; Greater Serbia. Hence, resembling an arc shape. These two strategic goals were part of six goals emphasized by Karadžić at the 16th session of the Assembly of the Serbian People in Bosnia and Herzegovina.

The first goal is separation from the other two national communities – separation of states. Separation from those who are our enemies and who have used every opportunity, especially in this century, to attack us, and who would continue with such practices if we were to continue to stay together in the same state.

The second strategic goal...is a corridor between Semberija and Krajina. That is something for which we may be forced to sacrifice something here and there, but is of the utmost importance for the Serbian people, because it integrates the Serbian lands...which will integrate us, which will provide us unimpeded flow from one part of our state to another.\(^{64}\)

Greater Serbia represented the so-called utopia, or at least the desire to purify what is historically and rightfully Serbian from threatening enemies; Bosnian Muslims and other non-Serbs. This exclusionary, irredentist ideology was the goal in Prijedor, but to achieve it, the Bosnian Serbs had to go beyond the traditional theater of warfare. This required the Bosnian Serbs to enter the group-selective and group-destructive phase of genocide.

The process to genocide escalated after the takeover of Prijedor and the subsequent exclusionary targeting of Bosnian Muslims and other non-Serb residents. Once the Bosnian Serbs were able to disrupt everyday life, without any means of an effective counter-resistance, they shifted their efforts to the surrounding villages and the creation of concentration camps.

The Bosnian Serb leadership attacked the predominantly Bosnian Muslim village of Hambarine on May 22. An ultimatum was issued over Radio Prijedor ordering several individuals to surrender themselves and all their weapons or face possible consequences. The ultimatum was not met, and the attack commenced the next day. The units responsible for the attack included the 1st Krajina Corps, the 6th Krajina Brigade, the 43rd Motorized Brigade, the Bosnian Serb police, and members from various paramilitary groups under the direction of the Crisis Staff.\(^{65}\) Following the attack on Hambarine, similar events unfolded in the town of Kozarac – encompassing the villages of Kamičani, Kožaruša, Sušići, Brdjani, and Babići. The Bosnian Serb leadership issued an ultimatum for weapons surrender and soon thereafter, an attack was initiated consisting of approximately 5,000 perpetrators. Among the group of perpetrators were the infamous paramilitary units led by Željko Ražnatović (Arkan) and Vojislav Šešelj.\(^{66}\)

The attack on Kozarac lasted until May 26 and the Bosnian Serbs achieved their ethnic purification of the mostly Bosnian Muslim enclave of 25,000 residents. On that same day, Bosnian Serb aggressors moved their tanks and loudspeakers into town and began crying out, “Muslims get out! Muslims get out! Surrender and everyone will be safe!” Homes were destroyed, some even set on fire with residents still in them, and Bosnian Muslims agreed to terms of surrender: If they wished to evacuate Kozarac and accept surrender, they would need to form a column. What they did not know at that time was that they were being subjected to a “carefully planned and coordinated attack designed not only to remove the population, but to liquidate its leaders and destroy homes so that the ‘cleansing’ would be irreversible.”\(^{67}\) Thousands of Bosnian Muslims emerged from the

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\(^{64}\) Prosecutor v. Radovan Karadžić, Judgement, March 14, 2016, IT-95/18-T, para. 2857.


forest waving white flags of surrender. Additionally, the town’s elite was identified, including judges, politicians, police officers, restaurant owners, factory managers, and local sports heroes, for removal and transportation to the established concentration camps.

Whether in Hambarine, Kozarac, Prijedor proper, or other Bosnian Muslim enclaves, the same pattern unfolded in late May and early June. The men were brought to concentration camps to be detained, and in many cases, tortured and killed. The women, children, and elderly men were transported to Trnopolje, for immediate deportation or prolonged captivity. To sum up, “In Prijedor town, Stari Grad [Old Town] and adjacent areas were ‘ethnically cleansed’ first, that is already on May 30, 1992. Other parts of the town were ‘cleansed’ in raids or in connection with ransacking the following days.”68 By this point, the Bosnian Serb leadership moved onto the last phase of the Greater Serbia objectives – mass deportation and mass killing. The former was largely the responsibility of the camp at Trnopolje, while camps Keraterm and Omarska were primarily used for detention, subjugation, expulsion, and in extreme cases, death.

The detainees at Keraterm and Omarska were subject to serious mistreatment and abuse, including lack of food and medical care, poor hygiene and overcrowding, physical abuse and interrogations, and death. Both camps were established by the Crisis Staff and were under the command of the Bosnian Serb military and police officers. Although records at Omarska were inadequate, estimates indicated that around 700 people were killed.69 The camp was eventually shut down on August 7, following a visit from international journalist Roy Gutman. Gutman was the first to break the story by reporting on the maltreatment and killings of detainees. Following Gutman’s reporting, Ed Vulliamy, a British journalist, described what he saw at Omarska.

The men are at various stages of human decay and affliction; the bones of their elbows and wrists protrude like pieces of jagged stone from the pencil thin stalks to which their arms have been reduced…There is nothing quite like the sight of the prisoner desperate to talk and to convey some terrible truth that is so near yet so far, but who dares not. Their stares burn, they speak only with their terrified silence, and eyes inflamed with the articulation of stark, undiluted, desolate fear-without-hope.70

Keraterm was reported to have held as many as 1,500 detainees at any given time, primarily in four separate rooms. Keraterm was also the site of the July 24 massacres. Leading up to the event, detainees originally in Room 3 were moved to Rooms 2 and 4, clearing the room for Bosnian Muslim men who arrived from the Brdo area on July 20 or 21. Other witnesses indicated that the detainees were stripped of their documents and forbidden from interacting with detainees in other rooms.71 On the night of July 24, Armed guards entered the camp and placed a machine-gun on top of the table facing Room 3, resulting in the massacre of nearly 200 Bosnian Muslim men.72 According to a Bosnian Muslim witness, he was in Room 2 when the massacre had occurred, and the following day, several survivors at the camp were instructed to pile dead and wounded bodies into a truck that was never seen again.73

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As for Trnopolje, it was initially established for the mass deportation of women, children, and the elderly. But, after the closing of Keratern and Omarska, Bosnian Muslim men were also transferred to the camp. Conditions improved slightly in late August due to the international outcry, but the situation as a whole remained dire. For example, on August 21, some detainees were even subject to mass killing. A convoy stopped at Trnopolje, where mostly male detainees but also some women and children were loaded on for transfer. As the convoy made its way to the town of Skender Vakuf, men of military age were separated from the women and children and ordered to get on two empty buses. The buses, which included some 250 detainees, stopped at a nearby cliff facing a deep gorge. It was reported that approximately 200 dead bodies were found near Mount Vlašić after the August 21 massacre.74

Conclusion
By the end 1992, the goals of genocide had been achieved due to the effective deportation and extermination of Bosnian Muslims and non-Serbs. By June 1993, the Bosnian Muslim population accounted for just under 10 percent of the total population in Prijedor. By 1995, this number was down to 5 percent, a drastic demographic change when compared to 44 percent in 1991.75 As the international community was fixated on the events occurring in Sarajevo, the Bosnian Serb leadership effectively established dominance in strategic territory for purposes of securing a homogenous Serb population. What occurred in the Prijedor municipality over the spring and summer of 1992 can best be characterized as the following:

The ‘ethnic cleansing’ is the core of the Serbian military operations in Bosnia. It may even be argued, as some observers do, that the events in Sarajevo – where there is a more traditional theatre of war with all its horrors – are staged, in part at least, to take away international attention from the eradication of entire ethnic groups in areas where there has not even been any real war, only tremendous abuses of military power – such as in Opstina Prijedor.76

By focusing on the meso-level, a more in-depth understanding of Prijedor was elucidated. Particularly, the presence of structural control and agent collaboration were crucial for explaining the events that unfolded in Prijedor. War and exclusivist ideology created a hostile situation. After the siege of Sarajevo and the onset of violence in eastern Bosnia, it was only a matter of time until violence reached Prijedor. But these were scope conditions, or “at-risk” factors. To account for the escalation and radicalization of violence to genocide, the following variables were necessary: overwhelming political authority, territorial presence, and a highly coordinated effort between national and local elites. These factors brought the Greater Serbia goals to life, an accounted for the high-level of intensity and group-targeting witnessed in Prijedor. Moving forward, two questions remain: Were these same patterns present across other municipalities of the Serbian arc? And if so, what municipalities were able to overcome or avoid genocide and why? These questions are a logical next step I plan to unpack in future studies to account for cross-case comparisons at the subnational level.

Bibliography

74 Prosecutor v. Radovan Karadžić, Judgement, March 14, 2016, IT-95/18-T, paras. 1846-1847.


The Politicization of the Genocide Label: Genocide Rhetoric in the UN Security Council

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Individual nations, as well as the United Nations (UN), have been historically reluctant to label and frame a situation genocide. Terms such as “ethnic cleansing” or “genocidal acts,” are common euphemisms for genocide, used to avoid the legally mandated obligation to intervene, to prevent or halt genocides. The continued diplomatic contention regarding the application of the genocide label is exemplified with respect to the 1915 Armenian genocide. This dispute perpetuates a normalcy to debates over claims of genocide, creating a discourse of denial and divisive politics which becomes synonymous with the application of the genocide label. This historical reluctance to label an act as genocide is also evident in the treatment of the 1994 Rwandan genocide. The Clinton administration in the United States (US) specifically avoided the use of the word genocide in a semantic charade to negate the perceived obligation to “actually do something.” Although New Zealand and the Czech Republic entertained the notion of labeling the situation in Rwanda a genocide, the US strongly opposed the use of such strong rhetoric, a position which received significant support among other Security Council members. Not only does this speak to the historical reluctance to label a genocide as such, but also the influential power ascribed to the UN Security Council Permanent Five (P5) members in shaping broader international discourses concerning such labeling. The UN Convention on the Prevention and Punishment of the Crime of Genocide notes a finding of genocide requires member-states and competent organs of the UN to prevent and punish such acts. However, despite this obligation, and the fact that the Convention provides a detailed definition of what acts constitute genocide, the use of euphemisms in referring to situations involving the apparent commission of genocide remains widespread. When an atrocity is not recognized as a genocide, a dangerous precedent is set for future acts of semantic avoidance, and the ability of areas affected by genocide to recover is severely hampered. The UN Framework of Analysis for Atrocity Crimes asserts that past acts of genocide, serious human rights violations, and crimes against humanity are prominent indicators of a heightened risk of future genocides. This claim is supported by research demonstrating that a history of violence and aggression makes the engagement in future violent acts as a means of responding to conflict and hostility more likely. Given that governments which deny genocide are three times more likely to commit another genocide, international recognition is central to maintaining peace and security. It was not until Winston Churchill’s 1941 speech in which he stated “we are in the presence of a crime without a name,” that the absence of a label to describe the systematic mass murder of a group of people

4 Ibid., 364.

became apparent.\textsuperscript{10} Despite the pioneering efforts of Raphael Lemkin to fill this void by coining the term “genocide,” the term continues to be avoided to this day.

This article explores the ways in which language is used by P5 nations in the Security Council to avoid genocide recognition using the Srebrenica genocide as a case study. Srebrenica is an ideal case study to examine such rhetorical positioning for a number of reasons. First, the atrocities that occurred in Srebrenica constitute the largest genocide in Europe since the Holocaust and symbolize a failure of intelligence collection during peacekeeping operations, thereby undermining the credibility of western governments and the UN.\textsuperscript{11} Second, Srebrenica occurred on the heels of the Rwandan genocide a year earlier, and thus the discussion at the UN, concerning Srebrenica, arose in an environment where the UN P5 and the international community more generally, were all coming to terms with the consequences of their inaction in Rwanda. Third, in recent years, there has been a turn towards formal recognition of Srebrenica as a genocide by the UN, providing an interesting opportunity to consider the historical context of the use of the term genocide by the P5 over time. As noted above, genocide recognition has important consequences in reducing the likelihood of future violence. In the case of Srebrenica, Prosecutor Serge Brammertz of the International Criminal Tribunal for the Former Yugoslavia (ICTY) expressed concern regarding the repercussions of the continued denial of the Srebrenica genocide with respect to both individual harm to victims and families, and also the inhibition of reconciliation and the reinforcement of communal divisions within the former Yugoslavia.\textsuperscript{12} Such concerns highlight the significance of genocide recognition and the ongoing timeliness of considering the Srebrenica case.

Through an analysis of diplomatic language utilized by UN P5 nations concerning how and whether to label Srebrenica a genocide, this article explores the intersections of language, power, and politics by examining how P5 nations choose to frame the genocide in Srebrenica in public UN Security Council debates. To do so, this article first considers the significance of an attention to language and its use by P5 members in particular, before introducing the specific case of Srebrenica while focusing on the history and context of the use—or avoidance—of the term “genocide.” After establishing this context, the article turns to an examination of the language used by P5 members in debates concerning Srebrenica. This language is analyzed through the lens of framing theory, an approach adopted from its common use in mass-media communications theory to serve as a method of analyzing how particular nations frame and represent narratives around the genocide label. This analysis proceeds in two parts. The first part involves an exploration of the explicit use of the term “genocide” by P5 nations. The second part then considers situations where P5 nations employ euphemisms to avoid using the term. Together, an analysis of these discourses demonstrates how UN Security Council P5 members use language as a mechanism to frame a conflict in a particular way that aligns with their own national political interests. Through this analysis, this article reaffirms the importance of explicit semantic genocide recognition, not only as an important legal determination, but one that also affects acknowledgment of the significance of a given atrocity event, and post-conflict growth and mediation processes.

\textbf{Diplomatic Language and Genocide Recognition}

Language is commonly used as a method for framing a particular interpretation of an act or event. Language used within international relations represents a culmination of dominant ideologies

\textsuperscript{10} Winston Churchill, “Prime Minister Winston Churchill’s Broadcast to the World about the Meeting with President Roosevelt,” (speech, London, August 24 1941) accessed October 18, 2018, \url{https://www.ibiblio.org/pha/timeline/410824awp.html}.


©2020 Genocide Studies and Prevention 14, no. 1 \url{https://doi.org/10.5038/1911-9933.14.1.1603}
from social, political, and academic discourses. The construction of language does not always aim to perpetuate a single reality and can be used both as a form of communication and strategically to perpetuate certain “realities.” The language used within international political arenas is calculated and complex. This complexity is exacerbated when nations must navigate discussions concerning potential genocides, as within such contexts, language becomes moderated by national interests and transnational diplomacy.

In 1988, the term ethnic purge ("etnicheskie chistki") was used by Soviet officials to describe the ethnic based forced removal of Azerbaijanis from Nagorno-Karabakh. Slobodan Milošević meanwhile, became the first politician to use the term “ethnic cleansing” to describe Kosovar Albanian commander’s violence towards Serbians. The term subsequently became part of the common vernacular of perpetrators and bystanders of the Srebrenica genocide and is now commonly referenced in UN documentation, as well as more generally in scholarly and diplomatic discussions of numerous atrocity situations. Such language remains despite the fact that “ethnic cleansing” implicitly suggests that massacres may serve as a means of improving hygiene through the “cleansing” of a region, and lacks any formal definition, legal or otherwise. The term has been adopted by many politicians and journalists and has penetrated the official language of international law and diplomacy. In Rwanda, avoidance of the term genocide as mass killings took place, acted as a diplomatic excuse for non-intervention, contributing to the deaths of over 800,000 people. While “ethnic cleansing” is commonly used by the UN and human rights groups in ways that are undoubtedly well-intentioned, the use of this term has been found to be associated with denial and delay in bystander intervention. The use of “ethnic cleansing” and other similar terms, especially when such use is part of a concerted effort to avoid the language of genocide, indicates an unwillingness to take forceful action to prevent imminent atrocities or halt them once they commence. Based on their analysis of the use of the terms “ethnic cleansing” and genocide in legal literature, UN press statements, and statements made by Human Rights Watch and Amnesty International, Blum, Stanton, Sagi and Richter argue that “the ratio between the terms ‘genocide and ‘ethnic cleansing’ measures the will for emergency response.” It is not until atrocities have been explicitly labeled as genocide that force has been used to stop them. For example, it was not until the Rwandan Patriotic Front (RPF) won the civil war and ended the genocide that the US State Department finally acknowledged genocide had occurred. Although the US government referred to “acts of genocide” occurring in Rwanda in May, 1994, this specific phrasing was a pragmatic determination used as part of a concerted effort to avoid any legal obligation to intervene and occurred six weeks after the mass killings began, when denying that a genocide was unfolding in Rwanda became an untenable position. While it has been argued that the genocide label has lost its normative power in terms of its assumed obligations to prevent and punish acts of genocide, this article argues its power extends beyond the perceived obligation for intervention.

While many lamented the absence of civil society mobilization and the avoidance of genocide recognition in Rwanda, tens of thousands rallied in support of intervention in Darfur,
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...in part because of the widespread identification of the conflict as genocide.\textsuperscript{23} While the debate of whether or not Darfur was a genocide may have detracted from meaningful action, it is unlikely Darfur would have gained such widespread support without the power of the genocide frame.\textsuperscript{24} It is also noteworthy that the Bush administration labeled Darfur a genocide through a morally unambiguous framing of “saving” Darfur by western powers, with the UN subsequently noting there was insufficient evidence for a determination of genocide.\textsuperscript{25} While no actual hierarchy of international crimes exists in any legal sense, it remains important to recognize the ability of the genocide label to mobilize international advocacy efforts as well as its role in altering the trajectory from violence as a means of conflict resolution to one of international recognition and mediation.

Genocide recognition also extends beyond a legal call for intervention, given its ability to provide victims with acknowledgment of the crimes that have been committed against them. This acknowledgment is increasingly important as we are now aware of the significant impacts of genocide denial in the form of transgenerational cultural trauma for descendants of genocide survivors.\textsuperscript{26} The narrative of genocide denial has been connected to feelings of resentment and of one’s personhood being attacked, amongst descendants of genocide victims, both of which have significant psychological implications.\textsuperscript{27} The recognition of crimes perpetrated against a group of people has far-reaching impacts in easing the trauma of victims and, more importantly, in reducing the likelihood of revenge.\textsuperscript{28} Acknowledging the culpability for crimes committed also provides a base for reducing “othering” on the basis of cultural, national, religious or ethnic grounds.\textsuperscript{29}

The Security Council is the peak body in the UN for binding decisions and has the power to authorize intervention in situations of mass atrocities. As such, the UN Security Council, and the language used by the P5 members in particular, is of significance when exploring the use of language and assessing national interests in responses to genocide. Claude notes that in instances of Security Council engagement with mass atrocities, a myriad of factors influence language use.\textsuperscript{30} The use of particular phrases and language is commonly challenged by P5 nations in the pursuit of political goals. For example, some argue that the motivation for the US labeling the atrocities in Darfur a genocide in 2004 was to create a “philanthropic alibi” for US projection of power, as well as, to improve the human rights image of the Bush administration prior to an upcoming election.\textsuperscript{31}

Do Monte furthers this notion by asserting that control over language within the Security Council is a means of projecting power.\textsuperscript{32}

Language in this domain reinforces power hierarchies by giving a stronger voice to privilege, such as P5 nations. Gifkins postulates that there are three key reasons as to why language used within the Security Council is of significance in decision-making processes.\textsuperscript{33} Firstly, language is not static and is representative of member-states’ political attitudes at a particular time.\textsuperscript{34} Essentially,
language use is a representative “snapshot,” illustrating the dominant discourse of a particular period. Secondly, drafting resolutions and engaging in debate is “both political and routine” as promoting an innovative linguistic frame may be profoundly political, however, through the process of repetition, its use becomes normalized. Dunne and Gifkins assert that this dynamic stems from the value placed upon “previously agreed language” as an indicator of consensus among Council members. Finally, the repetition of particular phrases within the Security Council is not “simple automation devoid of meaning,” but rather, a process of cognitive reaffirmation and perpetuation of shared meaning. Essentially, member-states may affirm their position on an atrocity event by continuously associating such events with terms such as “ethnic cleansing,” and subsequently presenting that particular linguistic frame as previously agreed language. Werner notes that by recalling language used previously as well as utilizing existing normative frameworks, decisions made in the Security Council are seen as being a part of a wider history of international regulation as opposed to random choices. The use of language within a discourse of transnational diplomacy is a calculated amalgamation of a number of variables including; power, national interest, previously agreed language, and linguistic repetition. The extent to which these variables moderate the recognition of an act of genocide within the UN Security Council requires further consideration. This is significant given the importance of such recognition for post-conflict mediation, the reparation of communal divisions, and the psychological wellbeing of victims and survivors.

Srebrenica
The Srebrenica genocide occurred only one year after the world said “never again” following Rwanda. As the largest genocide on European soil since the Holocaust, discussions of the Srebrenica genocide have been marked by divisive politics and acts of genocide denial, creating the potential for transgenerational trauma among victims and their families. The genocide in Srebrenica occurred during the Bosnian war (1992-1995), involving the declaration of independence of the countries making up the former Yugoslavia. Srebrenica, a town in eastern Bosnia and Herzegovina (BiH), lies only 15 kilometers from the Serbian border and as such, was of strategic significance to Serbian forces. In 1993, the Security Council passed a resolution declaring, “all parties and others treat Srebrenica and its surroundings as a ‘safe area’ that should be free from armed attack or any other hostile act.” However, on July 11, 1995 the Bosnian Serb army, under the command of Ratko Mladić, entered Srebrenica, largely uncontested by Dutch peacekeepers. Shortly thereafter, approximately 8000 Bosnian Muslim men and boys were systematically murdered, predominantly through mass executions.

Although the atrocities in Srebrenica occurred with limited international resistance, the past two decades have seen political and judicial recognition that the actions of the Bosnian Serb forces constituted genocide. Though some contention does exist within academic literature regarding labeling Srebrenica a genocide, largely with reference to the ability to prove intent, rulings by the

7982(2011)0000006007.
35 Gifkins, R2P in the UNSC, 150.
36 Ibid.
38 Gifkins, R2P in the UNSC, 151.
ICTY and the International Court of Justice (ICJ) both concluded that the atrocities in Srebrenica legally constituted genocide.\textsuperscript{44} Despite the determination of genocide in Srebrenica by the ICTY and the ICJ, this finding did not penetrate the official language of international law or diplomatic discourses within the UN for some time. Although Srebrenica is currently referred to as a genocide within UN public documentation, this has not always been the case. For example, in a 2005 commemorative speech, former Secretary-General Kofi Annan referred to the Srebrenica genocide as a “massacre.”\textsuperscript{45} Even when referring to the ICTY indictments of Ratko Mladić and Radovan Karadžić, which included genocide charges, Annan did not to refer to genocide.\textsuperscript{46} This omission may be contrasted with a commemorative speech delivered in 2015 by former Secretary-General Ban Ki-moon, who openly referred to Srebrenica as a genocide.\textsuperscript{47} On July 8, 2015, a draft resolution was introduced which would formally acknowledge within the Security Council that the atrocities which had occurred in Srebrenica constituted genocide. France, the United Kingdom (UK), and the US voted in favor of the resolution; China abstained from voting, and Russia voted against the resolution.\textsuperscript{48} Within debates on the draft resolution, Russia declared that the resolution, which was submitted by the UK, was politically motivated and would only lead to greater tension within BiH. However, the veto of the resolution by Russia can be seen as a manifestation of the impact of domestic politics on international policy, as it has been argued that Russia vetoed the resolution due to their political ties with Serbia.\textsuperscript{49}

In contrast to the UN’s apprehension to label Srebrenica a genocide, advocacy groups used the language of genocide in reference to the Srebrenica massacres only weeks after the atrocities were committed.\textsuperscript{50} For example, Holly Burkhalter, advocacy director of Human Rights Watch at the time, published a piece in the Washington Post on July 20, 1995, only nine days after the atrocities of Srebrenica. In the article, titled “what we can do to stop genocide,” Burkhalter argued that the clear effort by the Serbian Military to eliminate the Bosnian Muslim population “in whole or in part” in Srebrenica and surrounding areas, constituted a “textbook case of genocide.”\textsuperscript{51} The emergence of the genocide label within this discourse, so soon after Srebrenica, demonstrates that it was in the lexicon of advocacy works and journalists, and as such, was available for diplomats to use. While civil society groups commonly use language as a tool for framing a conflict, particularly to mobilize wider public attention for a given cause, the genocide label is not just avoided to circumvent the mandated obligation for intervention. The use of the genocide label to describe the Holocaust and the Khmer Rouge period in Cambodia created reference points for an implicit moral weight that may be absent when referring to crimes against humanity.\textsuperscript{52} The difficulty in proving specific intent


\textsuperscript{46} Annan, May we all Learn, 1.


\textsuperscript{51} Power, A Problem from Hell, 402.

is also commonly used as an argument to avoid the genocide label. For example, some refute the application of the genocide label to the Srebrenica massacres, as the killing of military age boys and men was seen as a tactic of war, as opposed to an act specifically intended to destroy the area’s Bosnian Muslim population in whole or in part.\textsuperscript{53} Serbia still refuses to label Srebrenica a genocide with various political parties in Serbia both disputing both the events surrounding Srebrenica as well as questioning the evidence of the genocide itself.\textsuperscript{54} This trend continues with Milorad Dodik, the former president of Republika Srpska, strongly opposing children in Republika Srpska schools being taught about the Srebrenica genocide, or the siege of Sarajevo.\textsuperscript{55} When one considers these broader discourses surrounding Srebrenica, both within and outside of the Security Council, the highly divisive and politicized nature of the use of the genocide label becomes apparent.

\textbf{Methodology}

In examining the language used by the P5 around Srebrenica, this article adopts an exploratory, post-positivist methodological approach, allowing for a focus on the meaning behind a construct, rather than observable fact. It adopts the use of framing from the mass-media communications theory, known as framing theory, to consider how particular nations frame and represent narratives surrounding the label of genocide. The term framing is derived from Goffman’s “schemata of interpretation” that allows individuals to “locate, perceive, identify and label” occurrences within their space and the world at large.\textsuperscript{56} Entman extends this definition by noting that framing is to “select some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation.”\textsuperscript{57} Framing within mass media is usually moderated by variables such as professional norms or organizational/ideological values which are subsequently reflected in a journalist’s coverage of events.\textsuperscript{58} Similarly, the use of framing within international relations and foreign policy refers to the use of political rhetoric and manipulation in an attempt to influence attitudes and behaviors or influence decision-making.\textsuperscript{59} While scholars have explored how the media framed the genocide in Srebrenica, the political response of nation-states to this genocide has not been considered in terms of framing theory.\textsuperscript{60} Framing theory posits that the manner in which something is presented to an audience influences how that information is interpreted and processed.\textsuperscript{61} Framing is a central component of politics and policy-making processes given its ability to shape public opinion.\textsuperscript{62} Political elites commonly engage in framing processes, with one of the most notable examples being the declaration of war by US President George W. Bush following the terrorist attacks on September 11, 2001. While other avenues for framing were available and other enemies may have been identified, the “war on terror” frame and the necessity of military intervention in Afghanistan was considered vital in perpetuating an emotionally compelling and

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The data used for this project was collected from UNBISNET, a publicly available database providing bibliographic records, voting records, and meeting records for different organs of the UN. A keyword search was conducted with relevant debates found under the topics “BiH,” “former Yugoslavia situation,” and “ICTY.” The search was subsequently narrowed by action body, in this case, the only relevant organ being the Security Council. The dates were also narrowed temporally, to only encompass debates between 1995 and 2015. This search process yielded a total of 32 documents in which Srebrenica was referenced by P5 nations. The data for this article was drawn from these 32 documents, all of which were weighted equally.

As language used within Security Council debates is an area with limited research, the process of inductive coding was instrumental in identifying unanticipated themes which may not have been identified through deductive methods. Genocide-related rhetoric was identified through numerous readings of relevant documents and document search tool functions. Common euphemisms used to avoid labeling an atrocity as a genocide were identified through both analysis of relevant literature, and the language employed by P5 members when other nations referred to the crimes committed at Srebrenica as genocide, in what became clear as semantic avoidance. When a particular theme emerged, the data was coded for discourse as well as for the P5 nations which engaged with this particular rhetoric. The absence of particular discourses, silences, and other salient themes within the data were also noted, as what remains unstated, is often as significant as what is stated.

The use of discourse analysis allowed for an in-depth analysis of power, politics and language. To analyze the results of this project, the key themes identified through the open and axial coding processes were reviewed and attention was paid to textual variation and silences within a particular theme. An analysis of variation has the ability to highlight discrepancies regarding the way particular nations framed the Srebrenica genocide through language use. This process also enabled the evolution of the particular linguistic frame(s) adopted by a particular nation to be tracked over time, and for comparisons to be made among the P5 nations.

Security Council P5 members were selected as the exclusive focus of this study in order to narrow the scope of analysis, while focusing on especially powerful actors; however, there would be merit in similar analyses being conducted on additional document sets, such as ICTY legal decisions related to Srebrenica, or discussions of P5 debates related to genocide, and Srebrenica in the press. Studies of these document sets would provide interesting complementary analyses to that conducted here.

Use of Genocide Label

The following section outlines how the Srebrenica massacres were framed by the P5 members through explicit references to genocide in Security Council debates. The use of the genocide label refers to instances in which Srebrenica is explicitly referred to as a genocide without any form of deflection or qualification. While such explicit use of the genocide label in reference to Srebrenica was rare in the debates analyzed, this section will discuss in what context the Srebrenica genocide was recognized as such, and how such recognition was moderated by variables such as domestic politics, the framing of national image, and coalition preferences in international diplomacy.

Within Security Council debates, the P5 nations that frame Srebrenica as a genocide incite much stronger linguistic and political rhetoric than the deflective use of euphemisms. Luban notes that when the public sees an atrocity framed as murder, motivation to intervene is lost.


64 Blum et al., Ethnic Cleansing Bleaches Atrocities, 204.


The use of the word genocide implores international action whereas “mere” murder promotes the discourse as the situation being “their” (i.e. a wholly local) problem.67 Linguistically, genocide has implications that the use of euphemisms such as mass killing does not.

Srebrenica was framed as a genocide by non-P5 nations such as Morocco and Turkey as early as November 1995.68 This particular frame coincides with the first indictment by the ICTY against Dragan Nikolić, a detention camp commander, as well as the indictment of Radovan Karadžić and Ratko Mladić on genocide charges in July.69 Even with this precedent set by these nations and the ICTY, the genocide frame was not adopted by a P5 nation until November 2010. It was the US who first explicitly labeled Srebrenica a genocide in a statement to “condemn denials of the Srebrenica genocide, which are simply indefensible, [and] undermine respect for the rule of law, impede reconciliation, and hinder inter-ethnic cooperation.”70 What is notable about this initial reference and subsequent references by the US, is that their aim appears to have been focused primarily on condemning other nations, rather than making a clear statement recognizing Srebrenica as a site of genocide. Among explicit genocide references made by the US, other notable linguistic features include their descriptive and formal language, and consistent use of collective pronouns, exemplified by the previously quoted statement. Despite the US referring to Srebrenica as a genocide in 2010, this initial recognition did not signify a complete shift in US framing of the Srebrenica genocide, as both the genocide label and various euphemisms continued to be used interchangeably by the US from 2014 onwards. Upon further analysis of the data, it is evident that US representatives to the UN who referred to Srebrenica as a genocide were different individuals than those who engaged in the use of genocidal euphemisms. Explicit US references to Srebrenica as a genocide occurred in 2010, 2011, 2012, 2013, and 2015, and were made by Rosemary DiCarlo, Jeffrey DeLaurentis, and Samantha Power. However, statements by US representative David Pressman used euphemisms when referring to the Srebrenica genocide in 2014 and 2015. All of these individuals were US representatives to the UN under the Obama administration and as such, the shifting US rhetoric from 2012 to 2015 cannot be attributed to changes in the US administration.

It is not until 2015 that another P5 nation explicitly framed the Srebrenica massacres as a genocide. On May 12, 2015, the UK observed “[t]he seventieth anniversary of the end of the Second World War and the twentieth anniversary of the Srebrenica genocide this year illustrate that in every generation Bosnians, Bosniaks, Bosnian Croats and Bosnia Serbs have suffered from conflict.”71 As is seen in this statement, the manner in which the UK frames Srebrenica is similar to that of the US, combining a relatively factual depiction of the massacres with the use of collective pronouns. The US and the UK however, frame Srebrenica using far more emotive rhetoric in July 2015, when a debate was held concerning as to whether the Security Council would officially label Srebrenica a genocide. As can be seen in the following extract from the US, the language shifts, becoming more expressive with respect to sentiment and descriptions of the atrocities.

Imagine being the mother of those five sons, killed in the Srebrenica genocide, and being told that a denial of the genocide would advance reconciliation. It is madness — a madness motivated by a similar negation of the Bosnian Muslim experience that helped fuel the slaughter at Srebrenica in the first place. As long as the truth is denied — whether in the Council or in the region — there can be no meaningful reconciliation. Imagine if this were us — if those were our families. Would we reconcile when our experience was being denied? There is no stability in genocide denial. The Council did everything in its power to get Russia on board with this simple draft resolution, which does not even name the perpetrators, but

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67 Ibid., 311.
Russia had a red line. The draft resolution could not reference the genocide in Srebrenica; it could not reference a fact.72

The same features are also seen in the way the UK frames Srebrenica in this particular debate. The language used evokes an emotional response and represents a noticeable shift in rhetoric.

Some said that in submitting this draft resolution, we risked ethnic division in the Balkans. The emotional responses in the region in the past weeks show that until past actions are acknowledged and accepted, we cannot move forward. As Adisada Dudic said so poignantly at the commemorative event last week, “Denial does not make the facts go away. It does not change the past. And it certainly does not erase memory.” It is denial, and not this draft resolution, that will cause division. Denial is the final insult to the victims. It undermines the prospects for a secure, peaceful future for Bosnia and Herzegovina — a future that all of its citizens deserve. Because, even two decades on, the horrors some choose to deny are still ongoing for families in Bosnia. The remains of hundreds of the victims of the genocide — fathers, sons, mothers and daughters — have yet to be found. The suffering of their loved ones, and their search for truth, continues to this day. Russia’s actions will only exacerbate their grief.73

There is also a notable shift from collective to individual language by the US, with the representative, in this case Samantha Power, referring to her own experiences as a journalist in the former Yugoslavia as well her personal disappointment regarding Russia’s veto of the draft resolution.74

France did not join the US and the UK in framing Srebrenica as a genocide until the draft resolution strongly condemning Srebrenica and labeling it a genocide, was presented to the Council in July 2015. On July 8, 2015, France stated that “[u]nfortunately, the Security Council today could not adopt a draft resolution to commemorate the twentieth anniversary of the Srebrenica genocide and to pay tribute to all the innocent victims on all sides of the conflict in Bosnia and Herzegovina.”75 Although France explicitly frames the Srebrenica massacres as genocide, the language employed by France does not incite as strong of an emotive response as that of the UK and the US. Instead, France’s statement is more reminiscent of the language used by the other P5 nations prior to the labeling debate, with respect to its more formal language, factual emphasis, and less confrontational tone. In the wake of the veto of the draft resolution by Russia, both France and the UK have continued to refer to Srebrenica as a genocide.

All told, when deflections and euphemisms are accounted for, explicit references to the Srebrenica massacres as a genocide in the documents analyzed are quite limited. Although the US makes the most genocide references out of any P5 nation, it is not the dominant frame the US employs. Meanwhile, no references to genocide are made by Russia or China from 1995 to 2015; instead, both nations rely exclusively on the use of euphemisms when referring to the Srebrenica genocide.

A number of different rationales can explain the manner in which the US, UK, and France engaged with framing Srebrenica as a genocide. The impetus for the P5 nations to label Srebrenica a genocide from 2010 onwards was brought about by a variety of factors pertaining to the power of the P5, the effect of domestic politics on international policy, and political cost-benefit analyses. Do Monte asserts that in resolutions proposed within the Security Council, permanent members can linguistically emphasize certain issues in order to construct a “progressive and liberal” image.76

Do Monte’s argument appears applicable with respect to debates held in the Security Council concerning the Srebrenica genocide. The US has a history of using the UN as a platform to project its

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73 Ibid.
74 Ibid.
75 Ibid.
76 Do Monte, The Pen is Mightier, 679.
power through “philanthropic” pursuits with respect to genocide. For example, certain observers argue that the US labeling of Darfur as a genocide was politically motivated by a desire to enhance the country’s human rights record in the wake of abuses at Guantanamo Bay and Abu Ghraib US detention sites being uncovered.\textsuperscript{77} Similar to how Olmastroni notes the Bush government employed a particular frame in order to legitimize intervention into Iraq, the US is using the genocide frame to promote their own national interests when referring to the Srebrenica massacres as a genocide.\textsuperscript{78} By doing so, the US were arguably able to enhance their liberal credentials through the power of language within the Security Council.

Timing and domestic politics are another factor that likely influenced the framing of the Srebrenica massacres by the US. The initial reference to the massacres as a genocide by the US occurred in 2010, shortly after the 2009 inauguration of US President Barack Obama. President Obama’s philosophic pragmatism and his willingness to deploy American military power on humanitarian grounds informed his foreign policy decision making.\textsuperscript{79} During the previous Republican administration, issues relating to foreign policy were both publicly and politically less salient, with UN related goals ranking very lowly in the pursuit of multilateralism.\textsuperscript{80} Despite increased public interest in cooperative internationalism in the early 2000s, this sentiment was not echoed by most US Republican politicians and as such became a platform for the Democratic Party to use to its advantage in the election.\textsuperscript{81} As the US shifted to a Democratic administration more concerned with cooperative internationalism, and amidst an environment where political backlash, especially domestically, for non-intervention in Srebrenica would have been limited, labeling Srebrenica a genocide was likely viewed as politically advantageous by the US government.

It is likely that similar to the shift which led to the US labeling Srebrenica a genocide, comparable factors affected the UK’s decision to do the same. Historically, atrocities tend to be framed as genocide when there would be limited or no costs to a particular nation. For example, the Rwandan genocide was only framed as such by the P5 after mass troop commitments were no longer necessary to halt the killings.\textsuperscript{82} Along these lines, labeling the Srebrenica massacres a genocide twenty years after they occurred enables nations to promote a liberal discourse whilst incurring limited political reprisal for inaction.\textsuperscript{83} Do Monte furthers this argument by noting that the P5 members commonly place emphasis on issues that are unproblematic to them at a domestic level through the power ascribed to language within the Security Council.\textsuperscript{84}

The shift towards more emotive language in Council discussions concerning the Srebrenica massacres, and the framing of such massacres as genocide by France also merits further consideration. Jackson argues that the use of language which appeals to emotion is a tool for the construction of a particular reality, having consequences for both social and political structures.\textsuperscript{85} If one accepts this proposition, emotive language may be seen as a form of persuasion which adds a layer of moral weight to a discussion. Within the Security Council, a wide vocabulary is employed to express member-state’s sentiments regarding a particular issue. Although the works of both Gifkins and Gruenberg feature language analyses of pre-ambulatory clauses and resolutions, such research can be extrapolated and applied to language within Security Council debates.\textsuperscript{86} Gruenberg identifies

\textsuperscript{77} Totten, The US Investigation, 17.

\textsuperscript{78} Francesco Olmastroni, Framing War (New York: Routledge, 2014), 20.


\textsuperscript{81} Ibid., 121.

\textsuperscript{82} Heinze, The Rhetoric of Genocide, 361.

\textsuperscript{83} Power, A Problem from Hell, 395.

\textsuperscript{84} Do Monte, The Pen is Mightier, 680.

\textsuperscript{85} Richard Jackson, Writing the War on Terrorism: Language, Politics and Counter-terrorism (Manchester: Manchester University Press, 2005), 23.

a list of words used within UNSC resolutions that have negative emotional connotations, ranking them according to their emotional effects, arguing that words such as “concerned” and “grieved,” are emotionally weak, while words such as “indignant” and “censured” are much stronger in terms of their emotional impact. The words employed by the US and the UK, particularly terms such as “condemn” and “deplore,” rank approximately half-way on Gruenberg’s proposed list of negative emotive rhetoric. Again, the use of such emotive rhetoric situates the Western P5 nations as progressive by “condemning” and “deploring” the actions of others. Once again, the manner in which the Srebrenica genocide is framed by the P5 nations through linguistic features is heavily influenced by the power associated with such language.

The fact that France only adopts the genocide label within the very debate concerning whether the Council will collectively officially label Srebrenica a genocide, was likely influenced by the strong historical preference for the US, UK, and France to act as a coalition representing an alternative frame to that put forth by Russia and China. Do Monte also notes that words used within the Security Council can create and alter relations between nations and as such, in order to maintain socio-political relationships in a diplomatic space, common linguistic discourses may need to be perpetuated at certain junctures. The formation of the US-UK-French coalition to collectively frame Srebrenica as a genocide also further demonstrates the importance of language in maintaining international political relationships within the Security Council.

Use of Euphemisms
In contrast to the rarity of explicit references to genocide in discussions of the Srebrenica massacres in the documents analyzed, it was quite common for the P5 members to use alternative, euphemistic terminology. Due to the legally mandated obligation to intervene once a situation is labeled genocide, alternative terms are readily adopted. Most commonly, terms such as “ethnic cleansing,” “mass murder,” or “genocidal acts” are employed in order to avoid the legal implications of framing an atrocity as genocide.

All the P5 nations utilized such linguistic avoidance practices in relation to the situation in Srebrenica from 1995 onwards. The manner in which the US, UK, and France use genocidal euphemisms within Security Council debates shares a number of similarities. From 1995 to approximately 2005, all three nations employed similar euphemisms to linguistically distance themselves from framing Srebrenica as a genocide. The euphemisms predominantly used in this period include references to “atrocities,” a “humanitarian crisis,” and “mass murder” occurring in Srebrenica.

The use of euphemisms after 2005 shifts slightly towards words more commonly associated with avoiding the genocide label, the most common being “massacre.” Similarities are again seen between the US and the UK, with both placing the killings in Srebrenica in a wider global context while still avoiding the use of the genocide label. Such practices are exemplified in the following exchange.

US: He [Radovan Karadžić] stands accused as an architect of the Srebrenica massacre, the single worst crime committed on European soil since the Second World War.

UK: I think it is impossible to talk about Bosnia without talking about Srebrenica. I do not think that anybody can remain unmoved by the fate of the over 7,000 Muslim men and boys...
who were massacred, as several people have said, in the worst atrocity in Europe since the Second World War. Even when referring to the indictments of Karadžić and Mladić by the ICTY, the UK and the US engage with euphemistic language, despite the fact that both men were indicted for genocide predicated on their alleged roles in the Srebrenica killings. Following the 2007 ICJ determination that these killings legally constitute genocide, euphemisms continued to be employed by all the P5 nations, with the Srebrenica genocide most commonly framed as a “massacre.” The manner in which France and the UK framed the genocide in Srebrenica also changed after 2010, with euphemisms no longer employed, but rather, the killings being framed as genocide indirectly, through reference to decisions of the ICJ or ICTY. The US, the most variable in terms of its use of euphemisms, continues to frame Srebrenica in such a manner in 2014 and 2015, even though it makes explicit genocide references over the same time period.

In contrast to the US, the UK, and France, neither Russia nor China rely significantly on the use of genocide euphemisms in relevant statements. Russia only frames the Srebrenica genocide using euphemistic rhetoric in five Security Council debates from 1995 to 2015, while China utilizes such rhetoric in three of these debates. Such euphemisms solely occur in 1995 and during the debate concerning whether to officially label Srebrenica a genocide in 2015. Unlike the US, the UK, and France, China does not make reference to Srebrenica as a “massacre,” instead, employing more formal and impassive linguistic rhetoric, presenting the killings either as a “violation of international humanitarian law” or as a “tragedy.” Unlike China, Russia employs a variety of euphemisms including references to “monstrous crimes,” “ethnic cleansing,” and referring to the “tragedy at Srebrenica” as exemplified by the following statement made on July 8, 2015:

when a delegation from Bosnia and Herzegovina first approached us about the need to commemorate the twentieth anniversary of the tragedy at Srebrenica, we agreed that it should be done in a solemn manner, given the special sensitivity of the issue for people living in Bosnia and Herzegovina and the region as a whole.

In contrast to these limited uses of euphemisms with regards to the Srebrenica genocide, for the most part, silence is the most common discourse within the documents analyzed, as Srebrenica is only referenced by Russia and China at times in which such rhetoric could not be avoided.

Akin to the genocide label, the use of euphemisms is also highly politicized with a plethora of variables impacting the way in which nations avoid labeling an atrocity as genocide. With respect to the use of euphemisms in framing Srebrenica, such variables include historical reluctance, national political stakes, and Security Council politics. The use of language within the Security Council is highly political and the use of particular words can have a profound effect on multilateral diplomacy. As noted previously, Dunne and Gifkins assert that this politicization of linguistic frames stems from the emphasis on adhering to previously agreed language. The consistent use of euphemisms, most commonly by France, the US, and the UK, allows for the continued presentation and reaffirmation of a particular position. Labeling an act as genocide would not only have incurred legal and moral responsibilities, but would have been difficult, given the consistent perpetuation and reaffirmation of euphemisms. Altering this normalized discourse and presenting an alternative linguistic frame in the case of the Srebrenica genocide would have presented considerable challenges and offered little in the way of political gain for any of the P5 nations.

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95 United Nations, 7481st Meeting of the Security Council, New York, July 8, 2015 (UN Doc. S/PV.7481) (Statement by Chinese representative Liu Jieyi that “the conflict that occurred in the former Yugoslavia two decades ago is a dark page in history. China expresses its condolences for the deaths of innocent civilians in Srebrenica and elsewhere. The international community should reflect deeply on history so as to prevent the reoccurrence of such a tragedy.”).
96 Ibid.
97 Do Monte, The Pen is Mightier, 671.
98 Dunne and Gifkins, Libya and the State, 523.
Rwandan genocide provides a comparable example of a linguistic reluctance to label a genocide as such. It was not until there were tangible political motivations to explicitly label the Rwandan genocide as a genocide that the use of previously agreed language became less advantageous and the genocide label was adopted. This notion of the strong preference for adhering to previously agreed language also provides an explanation for the aforementioned point regarding the variability in the use of euphemisms and engagement with the genocide label of the US. Engaging in such a clear shift in rhetoric within an international organization, where such a discourse has not yet become normalized, may have presented difficulties for the US. This argument becomes more clear as the media only reinforced the dominance of previously agreed language, with Velagic and Velagic finding that journalists most commonly framed Srebrenica as an instance of “ethnic cleansing,” even after the 2007 ICJ finding that genocide had been committed in Srebrenica. 99 If consensus exists regarding previously agreed language, it is not only between the P5 nations; such sentiment is also echoed within the media, in that there is little to be gained from altering dominant linguistic discourses. 100 Akin to Gifkins’ assertion that language is not simply words devoid of meaning, Jackson notes that neutrality in language is not possible, as words have histories and acquire meaning through discursive settings. 101 The word genocide attracts immediate comparisons to past atrocities, most notably, the Holocaust and Rwandan genocide, and to apply this term to the killings in Srebrenica would have highlighted yet another international humanitarian failure. Such an acknowledgment was not in the interest of any of the P5 nations. Consequently, it was more attractive to the P5 nations to avoid the power and associated connotations of the genocide label when referencing the Srebrenica killings.

The avoidance of the genocide label identified from the data also aligns with literature concerning the domestic interests of the US and France. The observed reliance on euphemisms to frame Srebrenica enabled the US to initially avoid putting their military personnel in harm’s way. This was of particular significance to the US following the death of eighteen soldiers two years earlier in Somalia. 102 Similarly, France’s framing of Srebrenica may have been influenced by their alleged complicity in the Rwandan genocide. An independently commissioned report released by the Russian government in 2008 condemns most Western nations for their failure to prevent or halt the genocide, however, the allegations made against France go much further, identifying possible military complicity in the genocide. 103 Avoiding accusations of further neglect in relation to a genocide that occurred on European soil may have been seen by France as part of a broader strategy to deflect attention from its role in Rwanda and to thereby help avoid subsequent legal repercussions. 104

The way in which Russia and China frame Srebrenica through the use of euphemisms differs from that of the US, the UK, and France. Both Russia and China employed silence as their dominant discourse when the issue of the Srebrenica killings were raised in P5 discussions, and only resorted to the use of euphemisms when maintaining this silence became effectively impossible, specifically during the commission of the genocide itself in 1995 and during the debate concerning whether to officially label Srebrenica a genocide in 2015. When euphemisms were used, particularly by Russia, the previous dominant frame of silence allowed for more weight and power to be ascribed to particular linguistic features given the rarity of any reference to Srebrenica whatsoever. Unlike the US, the UK, and France, Russia’s eventual framing of the Srebrenica killings as a “massacre”

99 Velagic and Velagic, Do Court Rulings Matter, 421.
100 Ibid.
101 Jackson, Writing the War on Terrorism, 76; Bosnia and Herzegovina v. Serbia and Montenegro, International Court of Justice, February 26, 2007.
immediately became the country’s official position, due to its previous silence. Schroter asserts that one of the central functions of silence is to restrict the potential for opposition. In effect, by not engaging with the use of euphemisms, Russia and China limited the opportunity for the other P5 nations to provide opposing rhetoric. This not only demonstrates the unique framing on the part of Russia and China, but also identifies the power of linguistic silence.

The framing of Srebrenica by Russia and China, especially their use of silence, may be due to a number of explanations. With respect to international foreign policy, Russia and China view collaboration as a counterweight to US hegemony through the promotion of a multipolar, as opposed to a unipolar, international discourse. Both nations seek to avoid being taken for granted by other P5 nations. Monteleone notes that Russia and China engage in a number of practices reminiscent of a coalition, such as limiting engagement with the dominant coalition (i.e. the US, the UK, and France), as well as joint abstentions and vetoes. However, their reasons for collaboration differ significantly. China’s behavior in the Security Council is commonly associated with self-interest and a focus on economic objectives. As such, China is unlikely to label Srebrenica a genocide given the potential economic costs of intervention and its indifference towards human rights issues.

The bilateral political and economic dialogue between Russia and Serbia also represents as a likely factor contributing to Russia’s use of euphemisms and general silence regarding the Srebrenica genocide. Serbia is a pivotal ally of Russia, especially in maintaining Russia’s influence in the Balkans. By avoiding the genocide label through euphemisms and adopting silence as its dominant discourse, Russia both protected its political and economic interests, and promoted an alternate discourse to that of the US, the UK, and France coalition.

Conclusion

The discourse analysis of 32 UN Security Council debates related to the Srebrenica genocide between 1995 and 2015 discussed in this article demonstrates how the P5 nations selectively framed this event according to each nation’s own beliefs and strategic interests. Moreover, the politicization of the rhetoric used in referring to the Srebrenica genocide appears to also have varied according to domestic policy considerations, Security Council power politics, and the complexities of language use within an international arena, wherein multiple actors are involved over time. Future studies of language use within Security Council debates should focus on other acts of genocide in order to ascertain if the trends identified in this article are replicated. An analysis of language used in other documents relevant to the Srebrenica genocide, such as ICTY or ICJ decisions, would also provide a helpful dataset.

While some may argue the use of language within the UN Security Council is mere incidental semantic variation, the continued avoidance of the genocide label within the Security Council in relation to the Srebrenica genocide supports the thesis that the P5 nations use language as a mechanism to frame a conflict in a particular manner that aligns with their own political interests. As such, this article reaffirms the importance of genocide recognition as more than a legal issue. Rather, such recognition, or lack thereof, in various fora, including the official statements of the P5

107 Monteleone, Coalition Building in the UN Security Council, 58.
109 European Parliament, The Positions of Russia and China, 8; Morphet, China as a Permanent Member, 155.
Security Council nations, has the ability to increase or decrease communal violence and revenge, and to either help alleviate or perpetuate, transgenerational cultural trauma associated with denial.

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"Currency is a Most Poisonous Tool": State Capitalism, Nonmarket Socialism, and the Elimination of Money during the Cambodian Genocide

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Introduction

On April 17, 1975, the revolutionary army of the Communist Party of Kampuchea (CPK; better known as the ‘Khmer Rouge’) entered Cambodia’s capital of Phnom Penh. Their victory marked the culmination of years of political turmoil and armed conflict but not the cessation of violence. Upon assuming power, senior officials of the CPK initiated a series of economic and political programs that resulted in the death of approximately 1.7 million men, women, and children.

The coordinates of the Cambodian genocide are relatively well established. In just under four years, Khmer Rouge cadre forcibly evacuated towns and cities; collectivized the peasantry onto large-scale agricultural collectives; abolished money and markets; eliminated formal schools and hospitals; and prohibited the practice of religion. To date, scholars have conceptually and empirically addressed each of these practices save but one: the abolishment of money and markets.

Heretofore, scholars routinely misrepresent and misunderstand the decision made by senior leaders of the Communist Party of Kampuchea to abolish money. Prasso, for example, explains, “The Khmer Rouge … set out to impose the strictest Marxist doctrine yet implemented in the Communist world.” He continues: “Money and private property, according to Karl Marx, promote the individual over the community. Thus, Khmer Rouge leader Pol Pot, who had studied Marx’s writings while a student in Paris in the 1950s, ordered that money, markets, and private property be abolished.” Prasso concludes, “In Pol Pot’s Cambodia … all barter, private commercial activity, private ownership, means of exchange, and stores of value were prohibited and punishable by death. Personal possessions were also prohibited, with the exception of a change of clothing and a personal set of eating utensils brought to the collective at mealtimes.”

Aside from sweeping assertions unsupported both by documentary evidence and survivor testimonies, Prasso mischaracterizes the form and function of money in Democratic Kampuchea. Indeed, historical reconstructions of party policy indicate neither that Pol Pot decided unilaterally to abolish money nor was the decision made in haste. As civil war raged across the country, key CPK leaders, including Pol Pot but also Ieng Sary, anticipated introducing their own currency, to replace that of the former government. In December 1973, for example, Ieng Sary brought sample


5 Ibid., 2.


https://doi.org/10.5038/1911-9933.14.1.1710
There is no sustained account of the Khmer Rouge decision to curtail currency or, more pressing, of the form or function of Democratic Kampuchea’s economy after the CPK leadership eliminated money and markets. In this paper, I fill this gap by providing a conceptually grounded and documentary supported account of Khmer Rouge economic policies. I demonstrate how senior leaders of the CPK sought to implement a non-monetary and non-market economy but, in so doing, initiated a hybrid economy that aligned more so with Soviet-styled state capitalism than strict Marxism. My argument unfolds in four sections. First, I provide some general remarks on Marx, money, and markets. The purpose here, is to establish a common foundation for readers, in order to properly assess Khmer Rouge monetary policies pursuant to an orthodox reading of Marxism. Marx, in particular, critiques capital as an economic system, with money as symptomatic of the problems of production for exchange. This is key point, one that CPK officials apparently misunderstood, believing that the physical elimination of money offered a straightforward path to socialism. Second, I position CPK macro-economic policies within the context of the Non-Aligned Movement and revolutionary socialism. I maintain that these larger movements significantly informed subsequent policies in Democratic Kampuchea, notably the introduction of import substitution industrialization. Third, I comment upon the decision of senior CPK personnel to eliminate currency. This was a decision fraught with internal dissent and evidence suggests CPK leaders remained uncertain if the abolition of money was desirable or feasible. Fourth, I critically evaluate the contradictions of CPK macro-economic policies, specifically, the suspension of money and markets domestically while participating in the global economy in order to rapidly accumulate much needed capital for investment purposes. These contradictions, I conclude, established the structural context of the subsequent Cambodian genocide and the resulting famine that resulted in a massive loss of life.

Marx, Money, and Markets

Money is a socially accepted general equivalent, that is, a common scale against which other commodities can be valued. However, we need to distinguish between money in general and money in its commodity form, that is, money as it appears and functions in capitalism. Money, of course, precedes capitalism and has evolved historically to perform various functions assigned to the sphere of exchange and general circulation. It is important, therefore, to make explicit the specific forms money assumes and to evaluate how these correspond to dominant economic systems.

Under capitalism, money in its commodity form serves multiple functions, including a medium of exchange, as means of payment, as a store of value, and as a unit of account. For Marx, however, money (in commodity form) is not simply a thing, that is, it is something more than a gold coin or paper banknote. Instead, money in its commodity form is representative of social relations unique to capitalism. Indeed, Marx’s critique of the capitalist system derided production for exchange, premising that the dominance of exchange value in capitalism encourages both alienation and

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9 Bill Lucarelli, “Marxian Theories of Money, Credit and Crisis,” Capital & Class 34, no. 2 (2010), 199.
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societal inequalities. 11 To this end, Marx’s vision of a stateless, moneyless and classless society aimed to encourage the fullest development of human consciousness and creativity. 12

Marx offers no clear indication of how a regime of associated producers might function in the absence of money. The theoretical idea of ‘nonmarket socialism’ however, of a cooperative, sharing society that has dispensed with money, has various adherents. 13 From the nineteenth-century onward, myriad socialist, communist, and libertarian economists and philosophers have contemplated the elimination of money and the promotion of a nonmarket and nonmonetary economy. A common argument forwarded by some socialists, for example, was to replace money with time-chits or labor vouchers; however, this would merely replace one representation of value with another. 14 As Marx explains, “it is impossible to suspend the complications and contradictions which arise from the existence of money alongside the particular commodities merely by altering the form of money.” 15 In other words, the substitution of one form (e.g., time-chits) for another (e.g., banknotes) does not negate money as long as the fundamental relations of exchange remain constant. In similar fashion, the removal of banknotes from circulation, or even the physical destruction of banknotes, does not effectively rectify the problem. For Marx, money represents the problem, that is, money is a symptom of the capitalist mode of production; the problem is production for exchange and the accumulation of profits for profit’s sake. Under capitalism, the social relations between people are transformed into a material relationship between things (i.e., commodities), while capitalist modernity is characterized by increasing alienation, exploitation, inequality, and misery. 16 As Marx writes, “The need for money is … the true need produced by the modern economic system [capitalism], and it is the only need which the latter produces. The quantity of money becomes to an ever greater degree its sole effective attribute: just as it reduces everything to its abstract form, so it reduces itself in the course of its own movement to something merely quantitative.” 17

In volume one of Capital, Marx begins with the concrete commodity and derives a number of theoretical abstractions: exchange value, use value, value, surplus value, abstract labor, socially necessary labor time, and so forth. As his analysis proceeds, Marx progressively develops these concepts in his critique of capitalism. 18 Commodities, including money in its commodity form, are not things but rather relations, foremost among them being the relationship between use value and exchange value. On the one hand, commodities, as products of human labor, possess some useful quality for people while, on the other hand, commodities have exchange values, in that one commodity may be exchanged for another commodity through the use of a universal equivalent, this being money. Within an economic system predicated on exchange, such as capitalism, commodities do not exchange according to their degree of usefulness; instead, a quantitative relation that appears in all commodities structures their exchange to accumulate surplus value. Later, I demonstrate this process within the context of CPK economic policies; here, suffice it to say Marx sought to move beyond capitalism in its totality. The elimination of money, to reaffirm, is a means to an end as opposed to an end itself. Subsequent followers of Marx, including those in Russia, too often, mistook the symptom for the ailment.

The allure of a money-less economy lies in the hope it can help create a society free of exploitation and oppression. Nonmarket socialism, for example, focuses on use rights and use values. Local communities foster self-sufficiency in the production and exchange of goods and

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12 Nelson, The Poverty of Money, 505.
13 Ibid.
14 Beilharz, Negation and Ambivalence, 24.
services; in turn, these communities network with other communities across a range of scales to collaboratively manage joint resources and, in so doing, facilitate solidarity. In this system of networked, community-based socialism, peoples’ needs are expressed as use values and the powers vested in their use rights to commons facilitate direct decision-making without recourse to money.¹⁹

In Russia, Bolshevik leaders attempted to abolish the monetary system and impose a nonmonetary and nonmarket economy.²⁰ In practice, however, this proved exceedingly difficult; cash was required for state-produced goods and services; monetary taxes demanded; and foreign trade required currency. Effectively, money remained a tool of state policy.²¹ The Soviets retained a form of paper money; and goods and services were ‘priced’ although prices were determined by the Party and not the market.²² Elsewhere, such as in China and Cuba, Communist party leaders also considered the viability of a moneyless communism; but again, the need for capital doggedly remained.²³ Simply put, few empirical examples exist of widespread experimentation in the area of nonmonetary exchange in modern society.²⁴ Democratic Kampuchea offers one such example.

**Macro-Economic Policies of the CPK**

Following the Second World War, Western powers challenged and frequently opposed demands for political and economic independence raised by their former colonies. Often, deadly conflict erupted, as nationalist leaders resisted the imposition of colonialism. In addition, Western powers introduced new forms of imperialism, often shrouded behind the façade of modernization and development. For example, the establishment of international organizations, including the World Bank and the International Monetary Fund, imposed myriad structural programs that served to incorporate Western technology and methods of production into the so-called developing world. For many nationalist leaders throughout colonies and former colonies, Western-imposed economic programs constituted nothing more than another form of oppression and exploitation. For these nationalists, the realities of foreign aid belied the humanitarian rhetoric of self-governance and they decried the hypocrisy and material inequalities that accompanied modernization.

Anti-colonialism was not necessarily synonymous with anti-capitalism, but the two movements often found common cause. Notable in this regard was the emergence of the Non-Aligned Movement (NAM) in 1960. In the shadows of the Bandung Conference, a handful of nationalist leaders from the Global South convened in Belgrade, Yugoslavia in an effort to chart a course separate from the unfolding Cold War confrontation of the Western Powers and the Eastern Bloc.²⁵ Proponents of the NAM forwarded several initiatives to promote and implement economic growth and development programs, often but not always within existing institutional structures. Of paramount concern were the guiding principles of self-reliance and self-determination, that is, political and economic sovereignty from foreign governments.

In practice, there was no singular form, no official template for economic growth under the NAM. Several leaders, however, found in Josef Stalin’s state-guided industrialization a working model for national development. Perceived as a successful counterpart to Western colonial practice, the Soviet Union offered an approach seemingly free of geopolitical encumbrances of asymmetric

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²⁵ Held in Bandung, Indonesia in 1955, the Asian African Conference marked the first time that former colonies of Asia and Africa assembled to discuss common problems and attempted to formulate a united approach to international relations. See Roland Burke, “‘The Compelling Dialogue of Freedom’: Human Rights at the Bandung Conference,” *Human Rights Quarterly* 28, no. 4 (2006), 947-965.
trade relations. In this way, anti-colonial nationalists rendered Soviet-styled socialism a strategy that could guide their countries in the struggle to overcome underdevelopment.\(^\text{26}\) For several leaders of the CPK, the aspirations and agendas of the NAM appeared promising.

During August 16-19, 1976, delegates from 86 member-states of the NAM convened in Colombo, Sri Lanka. The assembly was momentous for several reasons. The conference, for example, marked the first Summit of Non-Aligned members held on the Asian continent, an important event marked by the resultant Colombo Declaration: “The history of Asia had been marked by successive periods of foreign conquest and colonial domination.” The Declaration continues: “The struggles of the Asian peoples for freedom, justice and equality have been victorious. A resurgent Asia enters the last quarter of the twentieth century with its peoples united in their determination … to overcome the problems of underdevelopment and the adverse consequences, economic, technological and cultural, resulting from long subjugation to colonial rule.”\(^\text{27}\) Notable also is the explicit recognition by members of the NAM of the recent victory of the CPK. Sixteen months prior to the conference, armed forces of the CPK captured Phnom Penh; now, participants in Colombo recognized their revolutionary triumph.

The context of the NAM is extremely important for our understanding of CPK economic policy, not least because senior officials apparently drew inspiration and guidance from the revolutionary socialism espoused by the NAM. Two months removed from the Colombo Conference, CPK Standing Committee member and Foreign Affairs Minister Ieng Sary spoke at the 31\(^{\text{st}}\) Session of the United Nations’ General Assembly in New York City. The Session, Ieng Sary explained,

...takes place at a time when all the peoples of the world of the non-aligned countries and of the Third World are waging a victorious struggle everywhere against imperialism, colonialism, neo-colonialism, Zionism and all forms of foreign interference, aggression, expansionism and exploitation, for independence, sovereignty, territorial integrity, for the right to determine their own destiny and for the establishment of a new international economic order on the basis of justice and equality.\(^\text{28}\)

Of significance, Ieng Sary pledged that reconstruction in Democratic Kampuchea would conform to the principles of the NAM. To this end, he vowed “Democratic Kampuchea will always continue to follow a policy of independence, peace, neutrality and non-alignment. … Our people resolutely defends its independence, national sovereignty, territorial integrity and its inalienable right to determine its own destiny.”\(^\text{29}\)

In light of the subsequent military conflict with neighboring Vietnam, and their staunch alliance with China, the words of Ieng Sary may sound hollow. However, the economic programs initiated by the CPK line up readily with those championed by the NAM. Two weeks prior to the Colombo Conference, members of the Standing Committee of the CPK drafted the Party’s first Four-Year Plan.\(^\text{30}\) As Chandler explains, the CPK never officially published and distributed the 110-page typewritten text and much of the Plan appears never to have been set in motion.\(^\text{31}\) The document, however, remains one of the most revealing sources of Party intention available.

As stressed in the Four-Year Plan (and countless other documents), Party leaders professed a strong commitment to self-reliance and self-determination, two terms widely misunderstood


\(^{27}\) Institute of Foreign Affairs, _Summit Declarations of Non-Aligned Movement (1961-2009)_ (Kathmandu, Nepal: Institute of Foreign Affairs, 2011), 84.


\(^{29}\) Ibid.


by many scholars of the Cambodian genocide. In conventional accounts, the emphasis on self-reliance and self-determination by the CPK is rooted in Marxist political philosophy, and that Party members sought to construct an isolated society bordering on autarky.\(^{32}\) In actuality, Khmer Rouge rhetoric echoes that of the NAM and, seen in this light, hardly appears extreme or radical. For example, economic growth and development, as detailed in the Plan, stands on “independence, mastery, and self-reliance.”\(^{33}\) To this end, Party officials affirmed that they might accept foreign aid, but would refuse any offers that infringed on their sovereignty.\(^{34}\)

Once in power, CPK leaders effectively took possession of all productive apparatuses throughout the country. Land and livestock, tools and tractors were all confiscated in the name of the Party. Note, however, that the fundamental (and exploitative) relationship remained. As Stephen Resnick and Richard Wolff explain, a “change in ownership of productive assets, from private to state, does not necessarily entail a change in the capitalist, exploitative class structure of production. When it does not, state capitalism is just the substitution of state functionaries for private individuals in the roles of capitalist appropriators of surplus labor.”\(^{35}\) In other words, much like the Soviet Union, CPK officials set Cambodia on a path toward state capitalism.

Two objectives figure prominently in CPK state economic planning: the necessity to raise the people’s standard of living quickly and to increase capital from agriculture in order to modernize industry.\(^{36}\) Both were to be achieved through the promotion of an economic strategy of import substitution industrialization—an approach widely adopted from the 1950s onward by governments throughout the Global South.\(^{37}\) Effectively, governments would impose tariffs, quotas, and other protectionist policies while simultaneously investing in the manufacturing of products currently imported. Accordingly, import substitution industrialization constitutes an economic strategy of self-reliance and self-determination. Such an approach is readily evident in surviving CPK documents. Minutes from a meeting held on May 8, 1976, for example, indicate, “We will decrease importing items next year, including cotton and jute, because we are working hard to produce ours. We will import only some important items such as chemical fertilizer, plastic, acid, iron factory, and other raw materials.”\(^{38}\)

To promote effectively a program of import substitution industrialization, Party leaders determined what they could produce locally and what they had to import. Thus, CPK officials premised that Democratic Kampuchea was brimming with “such things as land, livestock, natural resources, water sources such as lakes, river and ponds” and that these afforded them “great advantages compared with China, Vietnam, or Africa.”\(^{39}\) Officials postulated they could “export and sell many products such as kapok, shrimp, squid, elephant fish, and turtles” in order to “earn foreign exchange.”\(^{40}\) Indeed, so optimistic were Party leaders, they expounded, “There are great possibilities for exporting peanuts, wheat, corn, sesame, and beans. The objective would be to save

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\(^{33}\) CPK, *Four-Year Plan*, 48.


\(^{36}\) CPK, *Four-Year Plan*, 51.


\(^{38}\) Document No. D00698, “Cooperation with the Ministry of Commerce,” archived at the Documentation Center of Cambodia, Phnom Penh.

\(^{39}\) CPK, *Four-Year Plan*, 46.

up these products for export.”41 Ominously, the report cautions, “Almost anything can be exported, so long as we don’t consume it ourselves, but set it aside.”42

Faced with a seemingly endless array of natural resources to exploit, Party officials determined that agriculture—especially rice—would form the keystone of their economic policies. As indicated in the Four-Year Plan, “We stand on agriculture as the basis, so as to collect agricultural capital with which to strengthen and expand industry.”43 In doing so, CPK officials actually continued policies initiated under the former French colonial government and that of former leader Norodom Sihanouk. Senior planners of the CPK determined rice to be their main comparative advantage. For Party leaders, the decision was profit-oriented: “For 100,000 tons of milled rice, we would get US$20 million; if we had 500,000 tons we’d get $100 million. … We must increase rice production in order to obtain capital. Other products, which are only complimentary, will be increased in the future.”44

Monetary Policies in Democratic Kampuchea

With military victory achieved in April 1975, senior CPK leaders faced the enormity of reviving a devastated economy. Much of the country’s productive infrastructure had ceased functioning. For example, only 300 of the country’s 1,400 rice mills and 60 of 240 sawmills remained usable when the CPK seized power. A shattered transportation network further hindered economic recovery.45 Paradoxically, several key officials thought it possible to promote economic growth and development in the absence of currency.

On September 19, 1975, senior leaders of the CPK announced the elimination of money. Party officials, however, did not make the decision in earnest but apparently came to the point after years of deliberation. In 1973, for example, senior members debated the need for currency in post-revolutionary society and, if retained, the form and function of currency. The matter remained unsettled in May 1975, as CPK leadership summoned all military and civilian officials of the new regime to a special meeting held in Phnom Penh.46 Held over five days, with approximately 1,000 participants in attendance, the conference detailed plans agreed upon by members of the Central Committee of the CPK. As Kiernan describes the meeting, this was the Party’s first major attempt to announce its political writ, with many topics discussed and key decisions rendered.47 For example, CPK officials called for the establishment of large-scale agricultural collectives—a practice initiated in piecemeal fashion in 1973—and paved the way for communal dining. Notably, Deputy Secretary Nuon Chea proclaimed that building socialism entailed two components, agriculture and industry, and that the former would be modernized within 15 years through the application of scientific methods. In addition, Nuon Chea foretold the elimination of both money and markets, explaining that the existence of these would restore private property, itself an anathema to the Party’s Marxist-Leninist principles.48 Subsequent Party documents, including articles and commentaries published in the CPK’s propaganda magazine, Revolutionary Flag, stressed the evils of money and markets. As explained in an issue of Revolutionary Flag, “We do not use currency. Currency is a most poisonous tool. It entices us at all times to return to private ownership. With currency[,] we always want to buy this or buy that. Now no one thinks of spending money.”49

41 Ibid., 200.
42 Ibid. Emphasis added.
43 CPK, Four-Year Plan, 46.
44 Ibid., 51.
46 Kiernan, The Pol Pot Regime, 55.
48 Ibid., 57.
Decisions announced at the May conference were not necessarily final and debate continued among senior leaders. Long-time revolutionary Hou Youn, for example, opposed the idea of eliminating markets and money, explaining that Cambodia, having just emerged from years of fighting, was greatly short of capital.\textsuperscript{50} Other leaders also apparently expressed reservations, leading to the appointment of Non Suon as Chair of the National Bank.\textsuperscript{51} Also, that summer, Khmer Rouge cadre distributed posters showing CPK currency to the various administrative areas, along with actual banknotes for use, pending final authorization from Phnom Penh.\textsuperscript{52} Throughout 1975, further efforts were underway to introduce currency, albeit in limited fashion. In August, Pich Chheang replaced Non Suon and immediately set up a training program in preparation of a nationwide banking system. In addition, in September Pich Chheang introduced currency in his home district, as a trial run for a socialist-informed monetary economy.\textsuperscript{53}

As plans proceeded for the re-introduction of money and markets, Pol Pot and other high-ranking officials toured the country in an attempt to assess conditions on the ground.\textsuperscript{54} These fact-finding missions culminated with a meeting held on September 19, 1975 to determine, in part, whether the CPK would authorize the use of currency. Prior to the meeting, Chhit Chhoeun (alias Mok), Secretary of the Southwest Zone and a powerful member of the Central Committee, expressed strong reservations about the use of money. Chhit Chhoeun favored a barter system. He premised each administrative unit in the country offered its own comparative advantages, and that the simple transfer of products between units offered the most viable means of distribution. Ostensibly, Chhit Chhoeun advanced a variant of nonmarket socialism, whereby production is not for sale and work is not remunerated via the market.\textsuperscript{55}

By September, Pol Pot and other key leaders apparently found the arguments of Chhit Chhoeun persuasive.\textsuperscript{56} Addressing the Central Committee, Pol Pot identified several practical reasons to abolish currency, with the most pressing being ideological reasons.\textsuperscript{57} Pol Pot allegedly said,

Up to now, the fact we do not use money has greatly reduced private property and thus has promoted the overall trend towards the collective. If we start using money again, it will bring back sentiments of private property and drive the individual away from the collective. Money is an instrument [that] creates privilege and power. Those who possess it can use it to bribe cadres … [and] to undermine our system. If we allow sentiments of private property to develop, little by little people's thoughts will turn only to ways of amassing private property.\textsuperscript{58}

The Party Secretary concluded, “Money constitutes a danger, both now and in the future. We must not be in a hurry to use it. … We need to think more deeply about this matter.”\textsuperscript{59}

\textsuperscript{50} Kiernan, The Pol Pot Regime, 59. A student of economics and law, Hou Youn earned a doctorate from the University of Paris. His 1955 dissertation, The Cambodian Peasants and their Prospects for Modernization, appeared in book form in 1956. Scholars speculate that Hou Youn’s writings served as blueprint for subsequent CPK policy; this is highly unlikely, however, as his plans were frequently at odds with other, more powerful leaders. Hou Youn ‘disappeared’ in 1975, victim of one of the many purges initiated under the CPK regime.

\textsuperscript{51} Short, Pol Pot, 306.

\textsuperscript{52} Ibid.

\textsuperscript{53} Ibid., 306-307.

\textsuperscript{54} Ibid., 306-307.

\textsuperscript{55} Nelson, The Poverty of Money, 505.

\textsuperscript{56} Short, Pol Pot, 307.

\textsuperscript{57} It is noteworthy that the ancient empire of Angkor, much revered by Pol Pot and other CPK ideologues, functioned without money. Although I am unaware of any evidence to indicate a direct connection to subsequent CPK policy, additional archival work may identify Angkor as a additional source of inspiration for Pol Pot and others. I am grateful to a reviewer of an earlier draft of this manuscript for bringing this to my attention. See Eileen Listig, “Money Doesn’t Make the World Go Round: Angkor’s Non-Monetisation,” in Economic Development, Integration, and Morality in Asia and the Americas, ed. Donald C. Wood (Bingley: Emerald Group Publishing Limited, 2009), 165-199.

\textsuperscript{58} Short, Pol Pot, 307.

\textsuperscript{59} Ibid.
Pol Pot’s address seemingly kept open the door for the reintroduction of currency in Democratic Kampuchea—an observation that refutes conventional accounts of CPK policy and practice. Effectively, Pol Pot pronounced the temporary suspension of currency and not the final abolishment of currency. Surviving documents, coupled with oral testimony, confirm this interpretation. Former Khmer Rouge cadre Prasith Thiounn, for example, affirms that the elimination of currency was always a temporary measure.\(^{60}\) Lat Suoy, also, recalls that by 1978 rumors circulated that the Party planned to reintroduce domestically bank notes and market exchange within agricultural collectives.\(^{61}\) Indeed, Pol Pot himself reportedly told journalists from Yugoslavia, “We have ceased to use money up to now … [but] we do not take the present system as a permanent one.”\(^{62}\)

**State Capitalism and Nonmarket Socialism under the CPK**

In all senses of the phrase, the political economy of Democratic Kampuchea was always and necessarily a work-in-progress. It is implausible to conclude with any degree of certainty the entirety of the productive apparatus envisioned by a regime that collapsed in just under four years. This holds especially for a regime that so clearly was fraught with internal dissent. Nevertheless, surviving CPK planning documents allow for a partial reconstruction of Democratic Kampuchea’s economy as it lurched forward. Far from a ‘pure’ form of socialism or communism, the mode of production begun by the CPK resembles more a Frankenstein’s monster of state capitalism and nonmarket socialism, with the apparent paradox of Democratic Kampuchea’s hybrid economy explained by geographic scale.

The decision to eliminate money and markets was always marked with contradictions. As Kiernan quips, the choice to prohibit monetary exchanges may have consigned money to join the “dustbin of history” but it failed to eliminate the “profit motive.”\(^{63}\) In fact, the pressing need to accumulate capital rapidly—a prominent goal expressed forthrightly in the CPK’s Four Year Plan and myriad other documents—had not diminished with the decision to abolish money or markets. This decision did introduce several daunting challenges, not least being the capacity to raise investment capital for a moribund industrial sector. In the aftermath of revolution in both Russia and China, for example, Marxist-trained economists premised that surpluses accrued from agriculture would provide the necessary capital for industry. In these countries, economic strategies included the taxation of rural peasants and the so-called price-scissors mechanism.\(^{64}\)

In Democratic Kampuchea, the suspension of currency effectively precluded these strategies. Neither could CPK officials rely upon non-capitalist forms of organization to generate necessary revenues. Simply put, a barter system as that proposed by Chhit Chhoeun does not provide surplus value; and some CPK officials apparently understood this limitation. Indeed, the resultant economic order of Democratic Kampuchea resembled more so a hybrid form of state capitalism and nonmarket socialism than it did either a barter economy or an economy of associated producers as envisioned by Marx.

Domestically, in the absence of money and markets, the CPK would provide—in principle but not practice—all material necessities for their citizenry. These would include clothing, blankets, mats, pillows and “materials for common and individual uses” such as “water pitchers, water bowls, glasses, teapots, cups, plates, spoons, shoes, towels, soap, toothbrushes, toothpaste, combs, medicine … writing books, reading books, pens, pencils, knives, shovels, axes, spectacles, chalk, ink, hats, raincoats, thread, needles, scissors, lighters and flint, kerosene, lamps, etc.”\(^{65}\) In addition,
the elimination of money negated the need for wages; accordingly, CPK officials provided laborers with food rations. To this end, Party leaders developed a system to distribute food rations based on labor-capacity.66 Those workers classified in the No. 1 system would be allocated three cans of rice per day; those in the No. 2 system, two-and-one-half cans; No. 3, two cans, and No. 4, one-and-one-half cans.67 This numeric system refers to the type of labor involved; those people performing the heaviest manual labor, in principle, were to receive the highest rations. The lightest tasks, performed by the elderly or the sick, received the smallest rations. In addition, all workers would receive two side dishes (soup and dried food). Detailed work-schedules were also devised—although not necessarily implemented—that determined how many days of work were required, and for how many days, for society as a whole. Thus, CPK officials seemingly devised a nonmonetary and nonmarket society whereby the Party provided the individual and collective needs of society. However, unresolved remained the matter of capital accumulation, that is, the means to generate profits to subsequently invest in industry. Here, Party leaders turned toward their perceived comparative advantage in the global economy, this being rice.

Whether we immediately describe the CPK’s policy of exporting rice as capitalist or not, we must acknowledge that it constituted a system of exchange. Briefly, the process of exchange is accomplished through two transformations—the conversion of commodities into money and the re-conversion of the money into commodities—as expressed as C-M-C.66 The first transformation, C-M, represents the conversion of a commodity into money (i.e., the act of selling), while the second transformation, M-C represents the conversion of money into a commodity (i.e., the act of buying). Hence, this single process is two-sided: from one pole, that of the commodity-owner, it is a sale, from the other pole, that of the money-owner, it is a purchase.69

Following the simple model of circulation, C-M-C, commodities are exchanged (sold) for money; that money is then used to purchase additional commodities. On the surface, this would seem to account for the both the policies proposed and practices carried out by the Khmer Rouge. CPK officials shipped rice, as a commodity, to myriad destinations, including China, Yugoslavia, Madagascar, and Hong Kong. For example, between January and September 1978, the CPK exported 29,758 tons of rice, valued at nearly six million US dollars, to China.70 In return, Democratic Kampuchea imported tons of other commodities, including machine parts and medicine. In theory, this exchange could exist virtually; the CPK would in effect obtain ‘credit’ or a ‘balance’ from China for future purchases. At this level, no material transfer of printed money would take place.71 International trade, therefore, could continue without the reintroduction of currency within Democratic Kampuchea. However, the simple exchange of one commodity for another—regardless of whether money mediates the transaction—does not generate surplus. How, then, did Party leaders attempt to accrue profits? The answer, I maintain, lies in the substitution of food rations (notably rice) for wages.

In Capital, Marx expounds on the role of money (as opposed to the commodity) in the circulation process, expressed as M-C-M.72 Schematically, this constitutes the transformation of money into commodities, and the re-conversion of commodities into money.73 Whereas the first circulation (C-M-C) results in the exchange of commodities (albeit mediated through money), under the second circulation (M-C-M) there is an exchange of money for money via commodities. Here, Marx finds the crucial component of capitalism in that “the circulatory process of M-C-M would be absurd and empty if the intention were, by using this roundabout route, to exchange

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66 The cans used for measurement were most often Nestle’s condensed milk cans; each can could contain approximately 200 grams of rice.

67 CPK, Four-Year Plan, 111.


69 Ibid., 203.

70 Document No. D23948, archived at the Documentation Center of Cambodia.

71 Such material-based money transactions did take place, especially when the Khmer Rouge traded with their Thai neighbors.

72 David Harvey, A Companion to Marx’s ‘Capital’ (New York: Verso, 2010), 87.

73 Marx, Capital, 248.
two equal sums of money.” Marx explains, “In the simple circulation of commodities [C-M-C] the two extremes have the same economic form. They are both commodities, and commodities of equal value. But they are also qualitatively different use-values, as for example corn and clothes.” However, within the second circulation, “both extremes have the same economic form. They are both money, and therefore are not qualitatively different use values, for money is precisely the converted form of commodities.” Consequently, the “process M-C-M does not … owe its content to any qualitative difference between its extremes, for they are both money, but solely to quantitative changes.” As Harvey writes, “M-C-M only makes sense if it results in an increment of value,” this being surplus value and is thus re-written as M-C-M’. Following Marx, the exploitation of labor capacity generates surplus value and assumes two basic forms: absolute surplus value and relative surplus value. Marx argued that the value of labor-power (wages) is equal not to what a worker can produce (e.g. a shirt) but instead to the labor-time necessary to make up what it costs to keep the laborer and his or her family alive. In other words, “the value of labor-power is the value of the means of subsistence necessary for the maintenance of its owner.” For example, laborers may produce enough value in six hours work to offset their daily living expenses. Capitalists, however, purchase labor-power for a full day’s work, say, eight hours. The remaining two hours, Marx argues, appear as absolute surplus labor time. As Mandel explains, when the producer is performing necessary labor, he or she is producing a necessary product; when the laborer is performing surplus labor, he or she is producing a social surplus product. Absolute surplus value is thus that part of production produced by the laboring class but appropriated—without compensation—by the capitalist, regardless of the form the surplus product may assume. In Democratic Kampuchea, Khmer Rouge officials distributed quantities of rice in accordance with pre-determined expectations of the amount necessary for workers to subsist. By keeping food rations fixed and, in turn, expanding the working day, Party leaders derived absolute surplus value.

Long working hours and high quotas coupled with insufficient rations contributed to exhaustion, illness, and death. For the CPK, these losses, however, were inconsequential; recall the sentiment expressed in a 1976 report, “Almost anything can be exported, so long as we don’t consume it ourselves, but set it aside.” Other documents express similar attitudes. Minutes of a Standing Committee meeting held on March 8, 1976 for example indicate that there were “many sick people” and “outbreaks of chickenpox and cholera.” The possibility of food shortages was also apparent. However, the Standing Committee explained, “we think much about the livelihood of the people, but expenditures for material purchases to solve the livelihood of the people are limited because we must purchase many other things as well, and our funds are few.” The Standing Committee also recognized that come August and September, there would most likely be many food shortages and that those shortages would affect the “health and labor strength” of the workers. However, it was concluded that “as for rice, it should be two cans or a little more.” This amount, following the committee, constituted an appropriate “minimum” or “living wage.” In other words, the possibility of starvation and loss of life was significant only to the extent that

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74 Ibid.
75 Ibid., 250.
76 Marx, Capital, 251.
77 Ibid.
78 Harvey, A Companion, 85.
79 Marx, Capital, 274.
81 Ibid.
82 In practice, calculations of surplus failed to match reality. Official policy established fixed rations while demanding greater productivity. However, to compensate for production shortfalls or to simply demonstrate their revolutionary zeal, local leaders often exaggerated production levels to avoid punishment or to gain favor from party leaders.
83 CPK, Report of Activities, 200.
labor-productivity would suffer, or it would embarrass the regime internationally. Beyond that, what mattered was the continued accumulation of capital through rice production.

Limitations to the working day, coupled with the potential decline in labor productivity, restricts the accumulation of absolute surplus value. The CPK identified this problem and, ironically, resolved it by a deepening of capitalist logic, this being the generation of relative surplus value. For Marx, it is not simply “necessary” labor time that defined labor-power’s value; rather it is socially necessary labor time, that is, the quantity of labor necessary under average conditions of labor productivity existing in a given country at a given time. An increase in average production increases the average number of commodities produced per unit of time and thus decreases the amount of socially necessary labor time required for the production of a single commodity. Greater efficiencies of scale lesson the costs of production, thereby facilitating greater profits. With an increase in the productivity of labor, the value (that is, cost) of labor-power falls and the portion of the working day necessary for the reproduction of that value is shortened, thus facilitating the accumulation of relative surplus value.

In Democratic Kampuchea, CPK officials did not readily invest capital in technologies designed to facilitate agricultural production. Tractors, for example, were in operation but not widely available. Rather, Party leaders attempted to raise productivity through cajolery or brute force. Workers were to “go on the offensive” and to “Plant, plant, plant; plant everywhere, plant densely, plant until no land is left over; male youths, plant; female youths, plant; elderly and children, plant; both the able-bodied and the weak, plant; plant collectively; plant individually; plant farm fields; plant one or two clumps around the houses and around the worksites.” Immediately apparent in this and other documents is the characteristic exuberance of Khmer Rouge propaganda; but behind the fetishism of revolutionary zeal lies the cold, calculation of profits. In the Four-Year plan, for each administrative region, the CPK projected both the amount of rice produced and expenditures in the form of food rations. For the Northern Zone, for example, Party leaders determined that the average amount of rice production would increase from 245,000 tons in 1977 to 462,000 tons in 1980; this would, according to their estimates, result in a gain of US$121,000,000.00 over the four-year period. To meet these objectives, workers were to remain vigilant in their revolutionary zeal and, with a proper political consciousness, increase productivity. Crucially, the amount of rations allocated for worker consumption was to remain at 320,000 tons per annum. In other words, Party leaders assumed that as productivity increased and workers became more efficient, there was no need to increase the amount of food rations allocated. Consequently, reductions in socially necessary labor time contributed to ever-increasing surplus value derived from the export of rice.

To facilitate the export of rice and hence the accumulation of capital, CPK officials established several institutions to oversee their economic programs. The Ministry of Commerce, for example, facilitated the distribution of resources domestically and managed foreign trade. In addition, Party representatives established, with Chinese assistance, the Ren Fung Company Limited, for facilitating imports into and exports from Democratic Kampuchea with countries that did not want to be associated directly with the CPK government, or which had trade restrictions leveled at Democratic Kampuchea.

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85 Mandel, Introduction to Marxism, 30.
87 During a Party meeting in 1975, senior officials estimated that the tractors currently in operation would wear out. With assistance from North Korea, however, they anticipated a capacity to manufacture tractors within five years. See Document No. E3/781, “Examination of Control and Implementation of the Policy Line on Restoring the Economy and Preparations to Build the Country in Every Sector,” archived by the Extraordinary Champs in the Courts of Cambodia (ECCC) at http://www.eccc.gov.kh/en and the Documentation Center of Cambodia, Phnom Penh.
89 CPK, Four-Year Plan, 68.
In short, CPK officials initiated and implemented a hybrid economy. On the one hand, Party leaders participated in the monetary-based global economy as state capitalists while, on the other hand, they instituted a nonmonetary, nonmarket domestic economy. Under an economic system of import substitution industrialization, the Cambodian people produced rice not as a use value, that is, a grain produced primarily for subsistence and biologic consumption, but instead, as a means of acquiring exchange value. Khmer Rouge policy and practice effectively transformed rice into a commodity for export. In the process, however, senior leaders of the CPK instituted a fatal contradiction into Democratic Kampuchea’s economy. Under the system of exchange introduced by the CPK, the provision of higher rations (in the form of rice) would decrease the amount of capital (rice) the Party had available for surplus accumulation in the global economy. However, decreased rations would facilitate the accumulation of capital. When CPK leaders suspended currency, they did not negate capital but merely substituted one form of capital (wages) with another (ration), while leaving the basic exploitative relationship intact.

Conclusion
The macro-economic policies introduced by senior leaders of the Communist Party of Kampuchea alienated the men, women, and children who endured years of hardship and violence throughout the country. In the aftermath of the Pol Pot regime, villagers speak with bewilderment, anger, and hatred of the many ways in which their traditional way of life was overturned.91 Prior to the revolution, villagers had determined their own work schedules, with time for rest in even the busiest seasons and periods of relative leisure during the year. Now, armed soldiers drove them to perform unrelenting labor that was arduous and exhausting, with the relentless pace of work broken only by brief breaks for hasty meals of insufficient rations.92 Survivors remember being in a constant state of hunger despite the stockpiles of foodstuffs. As May Ebihara writes, villagers lamented, “You could see food but you weren’t allowed to eat it” and “There were piles of rice … but it was taken away in trucks.”93

Senior leaders of the CPK were aware of the ever-present specter of famine. Early on, Party members called for the continued monitoring of agricultural and food rationing throughout Democratic Kampuchea.94 For example, during a meeting of division and regimental secretaries and logistic chiefs held on September 19, 1976, reports of food shortages were common.95 Comrade Muth relays, “The rice harvest was exactly two tons over an area of 2,000 hectares, short by 61,000 bushels.” However, he continues, “Calculating through 15 November, the new rice which has arrived will be exhausted,” that “food supplies … will be exhausted in January,” and that “secondary crops … have mostly rotted.”96

Faced with acute food shortages, countless men, women, and children secretively gathered fruits, vegetables, and other foodstuffs. If caught, however, they met swift punishment, often in the form of arrest, imprisonment, and/or execution. On September 16, 1976, for example, a division chief

92 Ebihara, A Cambodia Village, 55-56.
93 Ibid., 56.

reported that a man named Neak Loeung stole a haversack of rice. Khmer Rouge soldiers seized
the man, but later when he tried to escape, cadres “shot him dead and did not get to interrogate
him about anything.” 97 In the ensuing months, as reports of famine and illness became more
common, CPK leaders increasingly blamed these problems on “internal enemies” or mistakes of
local officials in implementing CPK policy. 98 In so doing, the macro-economic policies forwarded by
senior leaders and implemented by myriad local cadres helped establish the structural coordinates
of the Cambodian genocide. On the one hand, Party leaders recognized the need to accumulate
capital rapidly; but, on the other hand, they feared the trappings of bourgeois society, including
money. The attempted resolution by Party leaders of this fundamental contradiction constitutes
a grave failing, one that was ultimately paid not in money or food rations, but in the lives of the
Cambodian people.

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Book Review: Reluctant Interveners: America’s Failed Responses to Genocide from Bosnia to Darfur

Eyal Mayroz
New Brunswick, Rutgers University Press, 2019
217 Pages; Price: $34.95 Paperback

Reviewed by Jeffrey Bachman
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Like so many of us who study genocide, Eyal Mayroz entered this field with a simple but troubling set of questions: “Why has the international community been sitting on its hands while countless children, women, and men were being massacred, often by their own governments? And why do states continue to stand by in the face of mass atrocities even today?”

In answering these questions, Mayroz makes a significant contribution to the study of the United States’ relationship with genocide, which is largely under-represented in the field of genocide studies. Though not a primary focus of Reluctant Interveners, Mayroz engages with and critiques the previous work of Samantha Power, as well as Kenneth Campbell and Peter Ronayne. As Mayroz appropriately describes it, his book represents an “attempt to move a primarily theoretical debate into the realm of empirically observed political actuality. Applying interpretivist lenses to the tension between the ideal of ‘never again’ and the reality of ‘ever again,’ the book captures and describes multifaceted relationships among key actors and factors.”

Actors discussed include U.S. administrations, the media and, the public. Factors include, among others, political leadership; political and media communication; and public opinion and behavior. In addressing the influences of these actors and the interconnectedness of these factors, Mayroz methodically analyzes troves of primary sources and integrates the works of key scholars in the fields of political communication and media studies on American foreign policy, such as Murray Edelman and Robert Entman.

Building off the works of others, especially Entman’s Cascading Network Activation model, Mayroz devises a model for his analysis that is specific to crisis situations like genocide. Central to Mayroz’s model are the downward flow of information from the presidential administration, through the media, and to the public, and the upward flow (feedback) of information from the public to the administration that also largely occurs through the media. In this model, the downward flow represents the primary flow as political elites seek to understand and, in some cases, “manage” the public. Put differently, Mayroz uses his model to assess how administrations have interpreted the public sentiment and whether administrations have misread the level of public support for U.S. leadership on genocide, or perhaps even sought to steer the public away from support for a more robust response.

1 Eyal Mayroz, Reluctant Interveners: America’s Failed Responses to Genocide from Bosnia to Darfur (New Brunswick: Rutgers University Press, 2019), ix.
3 Mayroz, Reluctant Interveners, 10.
What separates Mayroz’s research from similar attempts to evaluate the role of presidential leadership in how the U.S. responds to genocide is the methodical and comprehensive nature of his study. For example, Mayroz rightly points out that Power cited selected speeches from which she concludes that presidential rhetoric was “strong” on responding genocide. However, according to Mayroz’s findings that are based on the analysis of an incredible number of speeches and statements, “no American president has ever fully committed the United States to the project of confronting genocide.”5 Furthermore, Mayroz writes,

“Such a commitment would have contradicted a core principle of American foreign policy: retaining the freedom to choose actions case by case, based on dynamic circumstances and potentially changing interests.”6

In this regard, Mayroz’s findings are significant in how they challenge the prevailing notion that what is needed from U.S. leadership is more effort to align words, which have been forthcoming, and deeds, which have been lacking. Indeed, Reluctant Interveners has been described by others as “sobering,” which aptly describes the following conclusion by Mayroz: “In the rare occasions when presidents did invoke the label [genocide], their rhetoric was moralizing but mostly devoid of meaningful commitments.”7

In his study of Rwanda and Bosnia, Mayroz makes an important distinction between public opinion and public behavior. In a sense, Mayroz recognizes their interconnectedness, while also demonstrating the ways in which seeming disconnects between the two may be perceived, interpreted, or even exploited by an administration. For example, in the case of Rwanda, Mayroz illustrates how the Clinton administration may have chosen to weigh behavioral indicators more than expressed public opinion to conclude that “the political costs of inaction could be managed.”8 In other words, public behavior did nothing to fortify or operationalize public opinion.

In the case of Darfur, Mayroz highlights the depth of complexity in determinations about how to respond to suspected cases of genocide. Multiple actors and factors collided, resulting in limited action by the United States. As Mayroz explains, the Bush administration labeled what was happening in Darfur as genocide in 2004 and was active at the UNSC. Yet, domestic and international politics did not converge for the purposes of a robust response. Domestically, public attitudes indicated support for U.S. leadership on Darfur. This was accompanied by the Save Darfur Coalition, which Mayroz describes as “the most significant anti-genocide pressure group in American history.”9 However, internationally, a more robust response would have required convincing fellow UNSC members Russia and China to go against their strategic interests.

Mayroz concludes that this dichotomous relationship between the domestic and the international likely permitted the Bush administration to act without acting sufficiently. As Mayroz notes,

“Driven by domestic pressures, the genocide determination did increase the salience of the crisis. But even such a proclamation by the world’s foremost superpower could not make a meaningful impact on international political will. Not only that, but in an unfortunate twist of fate it helped to legitimate domestically a reticent US policy and made it easier for the Bush administration to evade riskier and costlier policy options.”10

Coming in at a concise 134 pages of primary text, Reluctant Interveners is tightly filled with significant research and findings, of which the above only represents a small sample. Ultimately, Mayroz offers his readers an informative and critical account of America’s relationship with

5 Mayroz, Reluctant Interveners, 56.
6 Ibid., 57.
7 Ibid., 75.
8 Ibid., 133.
9 Ibid., 119.

genocide, from the role of the presidency to that of the public. In doing so, Mayroz also contributes to bridging the gap between academic scholarship and policy by providing his readers with something of a playbook. Mayroz maps the various levels of action from, as well as interactions between, administrations, the media, and the public. Thus, key lessons can be learned from *Reluctant Interveners* about how administrations, along with an all too often compliant U.S. media on foreign policy, attempts to manage public opinion and behavior in order to elicit support for the administration’s preferred policy response to suspected cases of genocide.

With this knowledge, citizens and civil society can implement better informed strategies in their advocacy work. Relatedly, Mayroz “calls for those who live in countries with better human rights protections to share a more proactive moral commitment to helping those who are less fortunate, even at certain costs.”

This makes Mayroz’s book, with its significant contributions to the multiple intersecting literatures of genocide studies, political communication and public opinion, and American foreign policy, essential reading for scholars, students, activists, civil society actors, elected officials, and members of nongovernmental and intergovernmental institutions.

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11 Ibid., 132.
Book Review: *Gender and the Genocide in Rwanda: Women as Rescuers and as Perpetrators*

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*Gender and the Genocide in Rwanda: Women as Rescuers and as Perpetrators*
Sara E. Brown
New York, Routledge, 2018
176 Pages; Price: $49.95 Paperback

Reviewed by Hollie Nyseth Brehm
The Ohio State University

Numerous scholars and journalists have drawn upon first-person accounts to document and analyze the 1994 Genocide Against the Tutsi. Some have interviewed Rwandans who committed the violence, while others have spoken with people who risked their lives to save others. However, these accounts have largely focused on the actions and agency of men, in turn depicting women as the victims of the genocide. In *Gender and the Genocide in Rwanda: Women as Rescuers and as Perpetrators*, Sara E. Brown artfully upends these typical stories of women as victims and men as perpetrators or rescuers by centering the women who committed genocide in Rwanda, as well as the women who risked their lives to save others.

Specifically, Brown poses three core questions: 1) how were women mobilized to participate in the genocide and in rescue efforts? 2) What were these women’s actions during the genocide? 3) And, what were the longer-term consequences of perpetrating genocide and of rescuing? To answer these meaningful inquiries, Brown relies upon in-depth interviews she conducted with seventy-seven respondents between 2010 and 2014. Among these seventy-seven respondents, sixteen were women who had rescued, twenty-six were women who had committed violence, and the rest were other individuals who could speak to the social setting at the time. Refreshingly, when considering these data, Brown reflects on how her positionality as a white, Western woman may have impacted the conversations that unfolded with the participants. She likewise carefully addresses how her translator’s perceived identity may have shaped conversations. Importantly, Brown also draws upon twenty-five previously collected testimonies as well as case records from gacaca court trials in order to triangulate her findings—a noteworthy and laudable methodological move given the difficulty of working with first-person accounts of violence.

Brown begins her well-written and impressively researched book by providing the reader with an account of Rwandan history. Yet, rather than simply retracing the events that unfolded prior to 1994—which have been well-documented—Brown highlights gendered dynamics within the government and society more broadly. For instance, she examines the position of the Queen Mother as well as the role of Agathe Kanziga Habyarimana, who was highly involved in the infamous Akazu that planned the genocide. Brown likewise emphasizes the gendered aspects of mobilization prior to 1994, pointing out that the first thee of the well-known Hutu 10 Commandments directly invoked gender.

After tracing Rwandan history and pre-1994 mobilization through a gendered lens, Brown turns toward examining rescue efforts undertaken by women. This analysis is especially vital because of the lack of attention paid to women who rescued during the genocide in both Rwandan society and scholarship to date. Indeed, while families often rescued together, the male head of the household was typically accorded the recognition for these heroic acts (e.g., given a medal by their local leader). In turn, these men have become known as rescuers and subsequently interviewed by journalists and scholars alike. Yet, Brown illustrates that some women rescued alongside their husbands, while others had to convince their husbands to rescue, rescued alone,

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or rescued with others. Their stories are underrepresented, and this especially fascinating chapter shows how Rwandan women used gendered assumptions to their advantage as they undertook rescue efforts. Women rescued other peoples’ children, for instance, and they were able to use the guise of motherhood to their advantage. Brown even highlights how sexism could save lives, as members of the killing groups would not enter peoples’ homes without the man of the house present, meaning that Tutsi hiding within their homes could sometimes go undetected. Put simply, such gendered aspects of rescue are fascinating and novel. In fact, the reader wishes to hear more about how these findings depart from prior understandings of rescue, including whether there were gendered differences in women’s motivations to save the lives of others in the first place.

*Gender and Genocide* next considers women who committed violence, and Brown challenges the reader by asking, “… why would women *not* be perpetrators?”2 Although some of the women Brown interviewed deny their crimes (or aspects of their crimes), Brown demonstrates that women committed direct and indirect violence, including genocidal rape. Nevertheless, many women had relatively peripheral roles in the genocide—roles that Brown suggests were due to women’s constrained or situated agency. To Brown, understanding constrained/situated agency means that we must comprehend how various situational and structural forces shape—and often limit—the agency that women are able to exert. For instance, many women were tied to their homes during the day, which in turn influenced the types of violence they committed. The notion of constrained or situated agency is consequently quite significant, and if space had allowed, the reader would have benefited from a fuller discussion of how constrained/situated agency maps onto the existing debates regarding agency and structure.

Often the actors and actions that unfold during genocide are only examined within the context of the violence itself. Yet, Brown concludes this excellent book by skillfully addressing what happened to the women perpetrators and rescuers after the genocide ended. This chapter illustrates Brown’s comprehensive approach to research, as well as her broad historical and temporal view. This chapter also joins the chorus of scholars who are skeptical about the depths of reconciliation and forgiveness in present day Rwanda.

All things cannot be done in one book, so critiquing a manuscript that already does so much can feel strange. Nevertheless, although Brown largely focuses on the intersection of ethnicity/race and gender, the reader does wonder how other social factors—chiefly socioeconomic status and age—impacted the women’s situated agency and subsequent actions during the genocide. Furthermore, a new shift in genocide studies has emphasized that actors often undertake multiple types of actions during complex situations of mass violence. Many people who rescue also kill, for instance, and understanding the women who perpetrated violence *and* rescued would be fruitful for future studies.

Genocide studies is already richer, however, due to Brown’s fantastic book. Guided by feminist approaches, Brown shines a light on a much-needed gap in existing literature by addressing women—and gender—head on. This book also contributes to literature on mobilization for violence, high-risk activism, and gender studies, and each chapter is brimming with critical insights. Brown’s reflexivity when it comes to research methods only heightens the importance of her findings, and her assessment of post-genocide processes likewise holds numerous implications for policy. For instance, Brown explains that the general omission of women perpetrators from dominant narratives about the genocide leads to missed opportunities to enact meaningful policies tied to their reentry into society. At the same time, the lack of attention to women who rescued in Rwanda may mean that young girls do not see themselves in the heroes of the genocide, which could have numerous ramifications going forward.

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2 Ibid., 114.
Red Famine: Stalin’s War on Ukraine
Anne Applebaum
New York, Doubleday (Penguin Random House LLC), 2017
461 Pages; Price: $35.00 Hardcover

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Red Famine is a book in which Anne Applebaum, winner of a Pulitzer Prize, focuses on the Soviet famine of the 1930s. For the author it was implemented in a planned and systematic way by Stalin against Ukraine artificially. It is the result of a history of submission from Russia to Ukraine that has its genesis in Tsarism, is accentuated after the Revolution in 1917 and culminates in 1933 with the process of artificial famine. The author starts from a hypothesis of first Russian, and then Soviet hostility towards Ukraine which is based on various historical sources and documents. The main questions that run through the book are: what happened between 1917 and 1934? What happened during 1932 and 1933? In addition, what place does famine occupy in the history of Ukraine and its national movement?

In order to answer these questions, the author makes a genealogical route of the relationship between Ukraine and Russia throughout history. In the first place, she stops at the peculiarities of Ukraine and its cultural and idiomatic differences with respect to its main neighbours, Poland and Russia, emphasizing that it is precisely those that constitute it as a different nation with its distinctive language and customs.

After this introduction she focuses on the Ukrainian Revolution of 1917 and its independence after the dissolution of the Russian Empire (chapter 1) and the civil war process (1918-1921) between the declared People’s Republic of Ukraine and Soviet Russia (Chapters 2 and 3). Then she analyses the New State Policy of the Soviet Union in Ukraine during the 1920s (chapter 4), the process of collectivization of land in 1930 (chapter 5 and 6) and its failure in 1931 (chapter 7). Once the historical route is drawn, Applebaum stops in the process of planning the famine during 1932 (chapters 8, 9 and 10) and the famine during the spring and summer of 1933 (chapters 11 and 12). Finally, the author stops at the consequences of the famine (chapter 13), its cover-up by the Soviet government (chapter 14) and a set of conclusions about its current repercussions (chapter 15).

Starting from the idea that due to its nationalist and independence movement, Ukraine constituted a danger to the consolidation of the Union of Soviet Socialist Republics. Applebaum questions the idea that famine was an unwanted effect of the process of collectivization of land and argues that Stalin’s goal was planned by finding background since the 1920. These backgrounds were the persecution of intellectuals, members of traditional Ukrainian and nationalists, and then against the peasantry; mainly the rich peasants (kulaks) that in Stalin’s eyes were the main representatives of Ukrainian nationalism and potential members of new revolutions.

The persecution of intellectuals, artists, and writers occurred mainly in the 1920s from arrests, murders, and the author points to it as a precedent of premeditated attack against the elite of the Ukrainian national culture. As a counterpoint, she argues that the famine of 1921 was the product of the first process of collectivization and delivery of crops and grains to the Soviet government since Stalin himself recognized it and international assistance was received to alleviate the effects of starvation. Not so during 1932 and 1933: Applebaum argues that neither collectivization, neither bad crops nor the weather caused famine in Ukraine. The collectivization was an initial kick to give the conditions that led to it but were not a direct consequence of it. Applebaum affirms that it was a planned situation that occurred as a result of the systematic seizure of food from peasant households, accompanied by the cutting of routes that they prevented farmers from finding food...
As in every genocide, Applebaum argues that Stalin did not aim to annihilate all Ukrainians but a portion of the national group. For the author, the goal of hunger annihilation was the most active and committed Ukrainians with the nationalist project. She starts from this premise by taking Raphael Lemkin and criticizing the purely legal and moral uses of the term genocide: she proposes it as a category of historical use from which the Ukrainian case can be understood even though at the moment of the perpetration of the genocide this category did not exist. The author claims that the almost four million Ukrainian victims were the result of a deliberate famine that was part of a systematic plan for political purposes to destroy the Ukrainian identity that put Soviet aspirations at risk.

Applebaum argues that this fact continues until today and crosses contemporary political conflicts between Ukraine and Russia. The author asserts that the main tensions are in the official political discourse and are influenced by the presidents’ ties with the communist party. In 2004, President Viktor Yuschenko politicized the debate on the facts by arguing that the events were a matter of genocide; Yuschenko was the first president who had not been a member of the party. The official speech changed radically by assuming Yanukovych, who reversed this debate about the responsibility of the famine, for being a pro-Russian ruler. Currently the dispute exceeded the official political discourse and reached on the one hand, the Russian speaking Ukrainian society, and on the other, the Ukrainian speaking society, which the first accuse of carrying out a cultural genocide against the part of the population of non-Ukrainian speakers. Russian speakers deny the planned famine while Ukrainian speakers hold it and denounce its denial.

Finally, Applebaum asserts that the silencing and denial of the Soviet genocide against the Ukrainian people continues to shape the way in which Ukrainians and Russians think about themselves and each other. In this sense, she links the current political problems of Ukraine, such as distrust of the State and political corruption with the loss of the political and academic elite as a result of the genocide. For her, all these problems must go back to 1933, even if they are current.
Although scholars began to publish significant works in the 1960s regarding the Holocaust, Holocaust studies in the classroom for pupils and students did not begin until the 1980s. In the decades that followed, high school teachers looked for source material often in the form of broadsheets and sample images. Professors utilized edited books to offer their students an overview of the Holocaust. Beginning in 2015, Bloomsbury published the first in a series of books “designed to help students further their understanding of key topics within the field of Holocaust studies.” Anti-Semitism and the Holocaust: Language, Rhetoric and the Traditions of Hatred is the second book in this continuing series, offering an excellent introduction on this topic for college and university students. In this volume, Griech-Polelle does not attempt to replace classic books on the topic of Anti-Semitism and the Holocaust, such as Jacob Katz’s From Prejudice to Destruction: Anti-Semitism, 1700-1933. She focuses on the “power of language,” how it influences common people to perpetrate violence. Following the Holocaust and other genocides, scholars have asked how is it that ordinary people that have never killed before can pick up weapons and torture, kill, and mutilate others. Griech-Polelle argues that the “threatening” image of the Jew built up over centuries along with destructive myths and stereotypes. Already built into the European culture, Hitler and the Nazis merely had to draw on people’s perceptions, fears, and resentment of the Jews to obtain support for murderous actions.

Griech-Polelle organizes the book in a thematic and chronological fashion. Employing (French political scientist) Jacques’s Sémelin’s Purify and Destroy: The Political Uses of Massacre and Genocide, she introduces three themes from his work—identity, purity, and security—to set up her arguments. From the fourth century forward, “Europe” began to Christianize with the expansion of the Romans. As time passed, Christian Europe identified the Jew as the “other,” an enemy that could destroy the fabric of society. It became “us versus them.” To secure a pure German identity, the Jews had to die.

In Chapter 2, Griech-Polelle explains the developing myths regarding the Jews—from the ancient period through the modern era. Prior to the emergence of Christianity, some polytheistic cultures viewed the Hebrews as “other” because of their monotheism. In the pagan environment of the Roman Empire, persecution of Jews “revolved around political problems.” With the advent of Christianity and Christian written works, one can see how language began to divide Jews and Christians (seen by the Romans as simply a sect of Judaism). Griech-Polelle discusses the early church fathers and notes that written works portrayed Christians as the “New Israel,” part of the supersession myth. She points out that not all agreed on what to do with the Jews. Should we or should we not try to convert them to Christianity? What is God’s plan for them? Naturally, the harshest claim and taunt at the time was “Christ-killer.” The Jews were beginning a long journey of living as “scapegoats.” Through the Crusades, the Black Death, and Jewish expulsion from Western Europe, Jewish hatred continued. The images never left the minds of the Christians—Jewish


poisoners and defilers, wearing special badges and depicted as pigs (Judensau). Significantly, since most writers do not explain Martin Luther’s 1523 work, “That Jesus Christ was born a Jew,” Griech-Polelle explains that early on Luther had tried to convert the Jews and it was only later, in 1543, that Luther wrote “Concerning the Jews and their Lies.” The French Revolution, with its ideas of liberty, equality, and fraternity, offered some Jews new opportunities. In Germany, however, many viewed these concepts as “unGerman.”

The origins of the term “anti-Semitism” opens Chapter 3. Through wars, the German states unified giving way to “Germany” in 1871. Within a few years, German citizens were experiencing economic struggles and looking to blame someone. Many pointed to the political left and for them, this included Jews. Identifying Germans as enlightened thinkers, a German publicist, Wilhelm Marr, decided that Germans needed a “respectable” word for those who articulated their hatred for the Jews. He began to use “anti-Semitism.” One sees in the nineteenth century that Jewish hatred begins to move from a political hatred to a racial hatred. Many now would not accept converted Jews. When the time comes, Hitler has his anti-Jewish platform already built for him.

Chapter 4 takes the reader through the development of the Nazi party into Hitler’s early leadership of Germany. She asserts that the weakness of the Weimar Republic led by moderates helped to offer fertile soil in which the Nazi party developed. Griech-Polelle continues the story in Chapter 5 noting that Jewish life in Germany was deteriorating year by year in Nazi Germany, but that turning points came for German Jews with forced expulsion, Kristallnacht, and war. Throughout the narrative, she includes personal stories of those living and suffering at the time.

Once the war begins in 1939, the Nazis move systematically toward the final solution. They had already disenfranchised and dehumanized the German Jews; they had expropriated the businesses and practices of German and Austrian Jews; in 1939, it was time to begin to concentrate them into camps and ghettos. In chapters, 6 and 7, Griech-Polelle shows how the war acted as cover for the crimes of the Nazis as they set out to exterminate the Jews. She points out that the Nazis used the language developed over the centuries now to portray the Jews as a “true” danger and to justify their brutal actions.

In her final content chapter, Griech-Polelle shows the culmination of centuries of hate-filled language and images by taking the reader to the “Final Solution” of the “Jewish Problem.” She writes about the various death camps, through the horrific work of the Sonderkommando and finally the death marches as the war nears and ends. She concludes, “Hitler capitalized on preexisting stereotypes, myths, and legends about the Jews in order to isolate and then persecute, and ultimately murder them.”

As part of a series of books regarding Holocaust Studies, this book offers college and university students, as well as any serious student of the Holocaust, a narrative of the Jews in the modern age as “others” while maintaining the thread of anti-Semitism formed by centuries of hateful language and images. At the end of each chapter, Griech-Polelle offers “For your Consideration,” a primary document, which supports the content of the chapter. In addition, she presents a well-developed list for further reading, a great help for students working on research or historiography. The book is a readable size for students with focused chapters, which a professor could use individually for the distinct topics. Although the book does offer images, some are not large enough or clear enough for students to analyze. Nevertheless, one can find images on the internet to support the text of the book. An excellent glossary of terms that also includes names and events will also be of great help to students as they read. Beth Griech-Polelle’s Anti-Semitism and the Holocaust: Language, Rhetoric and the Traditions of Hatred is a perfect addition to the “Perspectives on the Holocaust” series of books.