Genocide: the transformation of a beast

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RAPHAEL LEMKIN invented and presented the idea of genocide, in an analysis of what he called "the Nazi genocide", in his *Axis Rule in Occupied Europe* in 1944. Lemkin defined genocide as a broad notion of the violent destruction of a social collectivity. Today, genocide is generally defined as the deliberate and systematic destruction of a group of people, in whole or in part, because of their ethnicity, nationality, religion, or race. Definition first set out in article II of the 1948 Convention on the Prevention and Punishment of Genocide[1].

Although the term was invented in 1944, genocide is not a twenty first-century phenomenon; it has been practiced throughout history, since ancient times. The 1948 UN Genocide Convention explicitly refers to its transhistorical character.

Indeed, genocide has always been part of human history. What really have changed are the ideologies and cleavages on which genocide is perpetrated. As has been claimed by Martin Swan, different patterns of genocide are broadly synchronized with major historical changes in the international system[2]. Thus, the first half of the twentieth century witnessed the climax of inter-imperial conflict in Europe while the period of the Cold War witnessed the decolonization and in its second half the post-colonial states. The post-Cold War period, on the other hand, has been characterised, mainly, by global democratization and international institutional-building. And on this basis, genocide shall be expected to take still further new forms in the future.

Genocide in the twentieth century

During the colonisation period, genocidal incidents were characterised by small-scale violence and were executed by local authorities and militias. Yet, in its Second World War nadir, genocide was large-scale, state-centric and systematically murderous, perpetrated by governments and national armies.

In the first half of the twentieth-century events often cited as genocide include the 1915 Armenian massacre by the Turkish-led Ottoman Empire and the annihilation Nazi plan of Jews and Roma, as well as other groups during Second World War. In fact, failing to match the power of the Western empires, the old Ottoman, Romanov and Habsburg empires disintegrated amidst increasingly destructive nationalist rivalries, which exercised genocidal violence, as against the Armenians in 1915. The Young Turk Movement and most particularly its Committee of Union and Progress (CUP) (*Ittihad ve Terakki Jemiyeti*) formed in 1895 espoused a form of Turkish nationalism xenophobic and exclusionary in its thinking. Young Turks did supress all competing parties

and movements as well as population groups that were seen as hostile to their plans. The dissolution of empires led to the rise of radical totalitarian regimes in the Soviet Union and Nazi Germany too. Their genocidal tendencies were visible before 1939 but reached an unprecedented climax in the Second World War.

Genocide in the Nazi Empire originated in a series of theories and facts. Most particularly, anti-semitism, racism, imperialism and eugenics provided the ideological underpinnings for genocide. Anti-semitism, with its origins in the Christian-Jewish adversarial relationship, dates back two millennia. The dual revolution of the 19th century: democracy and nationalism plus urbanization and industrialization broad economic opportunity for Jews, allowing Jews now to be portrayed in an updating stereotype as exploitative capitalists.

> " The danger of genocide takes significantly different forms, reflecting different political, social and economical realities. "

Between 1914 and 1933, Germans experienced a series of disasters: a prolonged war and a defeat, leading to a humiliating treaty settlement, hyperinflation and finally the unprecedented unemployment of the Great Depression. Jews persecution was, initially, part of the biological-racial purification within the Third Reich and the massive population destruction project within German *Lebenstraum* ("space of life") leading, finally, to a systematic and total mass murder of every Jew. Until today, the destruction of the Jews has become the paradigmatic example of absolute genocide.

The signing of the 1948 Genocide Convention and the legalization of the term marks the second half of the 20th century. The Genocide Convention's

preamble re-affirms that "genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world"[3]. Although the definition is framed as a crime, implying that it applies to individuals only, the Convention imposes duties on states to prevent genocide and their liability before the International Court of Justice. Yet, whether states actually commit crimes still remains under debate amongst international layers.

It is important noticing too that, since 1948, the definition of genocide has not been enlarged or revised. States continued, even during the Convention's drafting, practising genocidal violence in Europe, Asia, Latin America. Some characteristic examples include the massive violence in the Chinese Civil War (1946-1950) and the limited though destructive removal of Palestinian Arabs following the 1948 Arab–Israeli War.

The second half of the 20th century witnessed the Cold War hostilities between two great powers, the US and the Soviet Union. Cold War was a period linked to conflicts and state-sponsored violence as well as other indirect reflections of Cold War polarisation. The phenomenon of state-sponsored violence against secessionist groups was apparent in Asia in the newly independent states of India, Sri Lanka, Pakistan, Burma (Myanmar), Thailand, Indonesia and Philippines. The Cold War period was also characterised by a Cold War polarization between secular ideologies and adversaries inclined to destroy each other. Characteristically, the Indonesian killings of 1965-6 between the Indonesian army and the Indonesian Communist Party resulted in half a million lives. The Cambodian killings during the rule of the Khmer Rouge (1975-1979) claimed twenty-five per cent of a population of eight millions. And the killings during the Cultural Revolution of 1966 in China claimed a million lives.

In many cases, postcolonial states did develop new quasi-imperial rule, where ruling elites sought to expand state's territory or opposing elites

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UN RESPONSIBILITY TO PROTECT (RTP) INITIATIVE

"The three pillars of the responsibility to protect, as stipulated in the Outcome Document of the 2005 United Nations World Summit (A/RES/60/1, para. 138-140) and formulated in the Secretary-General's 2009 Report (A/63/677) on Implementing the Responsibility to Protect are:

- The state carries the primary responsibility for protecting populations from genocide, war crimes, crimes against humanity and ethnic cleansing, and their incitement;
- The international community has a responsibility to encourage and assist states in fulfilling this responsibility;

The international community has a responsibility to use appropriate diplomatic, humanitarian and other means to protect populations from these crimes. If a state is manifestly failing to protect its populations, the international community must be prepared to take collective action to protect populations, in accordance with the Charter of the United Nations."

Source: Office of the Special Adviser on the prevention of Genocide, UN official site: http://www.un.org/en/preventgenocide/adviser/responsibility. shtml last access: 02.01.2014

threatening to break it up. Typical cases of this reality form the secessionist wars in Pakistan in 1971, Nigeria (1967-1970), Sudan (1955–1972 and 1983-2005) and Iraq (1980-1988).

Cold War genocidal violence was, consequently, different in location, context and form from the genocide of the imperial period in Europe. However, the definition of genocide remained unchanged, no reform was implemented to accommodate the new international parameters in order to punish and prevent accordingly mass atrocities. US ratified the 1948 Convention only in 1988; interestingly, years after Iraq, Colombia or even China ratified the Convention.

Genocide in the post-Cold War and contemporary period

As after 1945, after 1989, there was a huge optimism about a more peaceful world. Ideas of "humanitarian intervention" and the "responsibility to protect", although in a rhetoric sense at that time, started to shape Western discourse and policies and started to be tested too. Indeed, UN for the prosecution of persons responsible for genocide established new international criminal tribunals as the International Criminal Tribunal for the former Yugoslavia (ICTY) in 1993 (see "ICTY landscape of international criminal and humanitarian action") and the International Criminal Tribunal for Rwanda (ICTR) created in 1994. Some sort of normalisation was apparent too, as in China, where industrialisation took place. China expanded into world markets and achieved a *rapprochement* with the US and Russia. In such a context, neither international nor domestic tensions had real genocidal outcomes.

However, a changed pattern of genocidal war could be seen following the end of the Cold War. The dissolution of the Soviet Union and the following Yugoslav conflicts did produce a series of genocidal incidents that can be linked directly to the post-Cold War transition. The wars of Yugoslav succession, in Slovenia in 1991, Croatia in 1991-2, Bosnia-Herzegovina in 1992-1995 and Kosovo in

1998-1999 saw large-scale forced removals of populations accompanied by extensive violence against civilians. Nonetheless, the Srebrenica massacre in 1995, killing more than 8,000 Bosnian Muslims, was the only incident ruled to have been genocide. "Ethnic cleansing" seemed a more adequate term for the international community to describe the destruction and anti-population policies that took place during 1991-1999 in Yugoslavia.

Humanitarian interest by the international community was also shaped by separated national interest quest. Only when interests coincided, as in the case of Kosovo, where the conflict was escalating dangerously, baring a great risk of spreading to other countries, international community acted united. NATO's intervention in Kosovo did end effectively all military action and violence of Kosovar Albanians by Serbian forces. And latter UN-Western institutions supervision of post conflict developments does offer a guarantee for avoiding a repetition of 1990s genocidal atrocities.

Another catalyst for a new regional pattern of war was Rwandan civil war that led to the 1994 genocide of ethnic Tutsis by ethnic Hutus, resulting in almost 800,000 people deaths. Post Cold-War era witnessed an increased tendency of regional African states to make military interventions, such as the Rwandan Patriotic Front (RPF), run Rwanda and the second Congo War know as having involved nine African nations, as well as about 20 armed groups. International institutions and policies have failed to act decisively for human rights sake in Africa too. Rwanda (see "The genocide in Rwanda") forms a characteristic example of this failure, where a complete lack of political will by the world's leaders to end the genocide was apparent and shameful. The UN and peacekeeping forces placed in Rwanda were largely ineffective and, surprisingly, were removed before the end of the atrocities.

Another key post-Cold War development was democratisation, which has been in some ways linked to new genocidal dangers. Indeed, in political upheavals, there is a possibility that demo-
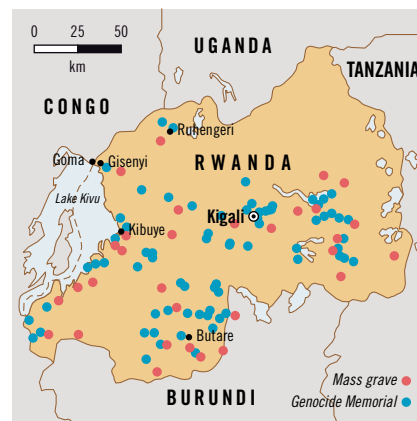
The genocide in Rwanda. Font: *The Economist*, Apr 8th 2009 (original source: Yale University), available at: http://www.economist.com/node/13447279. Last access: 02.01.2014.

cratization may enlarge the potential of ethnopolitical mobilisation and subsequently genocidal violence as implicated in the power struggle wars in Yugoslavia, Rwanda or even Iraq. The US-UK war on Iraq in 2003 led to 105,000 deaths, the majority of which have resulted not directly by the US attack but from its indirect consequences. Apparently, Iraq´s shia majority took power leading to a sectarianization of Iraq politics with violent consequences.

Last but not least, it should be underlined that this period was also marked by some important institutional developments: the establishment of international criminal tribunals, the International Criminal Court, that came into force on 1st of July 2002, and the UN responsibility to protect (R2P or RtoP) initiative of 2005.

Conclusions

The danger of genocide takes significantly different forms, reflecting different political, social and economical realities. Genocidal violence in our times is expected to take new forms, given the actual problems of our societies: overpopulation, climate change, and economic shocks.

The definition of genocide has to be re-evaluated, reconsidering all various forms of genocidal violence and future dangerous to human security. The International Criminal Court, as well as other institutions must be backed by the will of nations to prevent atrocities and arrest those indicted. Evolution of political and legal accountability, cooperation between states and institutions, political, moral and material support to international courts and institutions will be crucial for a less violent, more peaceful world.

However, these institutional changes cannot be and will not be enough to end genocide. Above all, political will must be built. ■
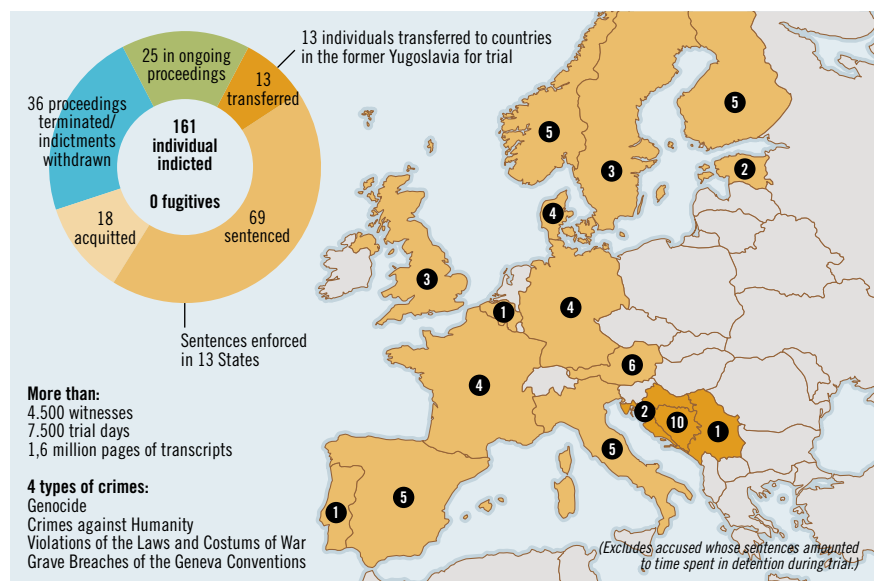
ICTY landscape of international criminal and humanitarian action. Font: The International Criminal Tribunal for the former Yugoslavia (ICTY) official site, available on line at: http://www.icty.org/sid/11186/.