# LAYING OUT THE BARE BONES OF GENOCIDE

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*While genocide is an ancient crime, it is a pressing global concern. The past can serve as a warning. We must not shove aside the evidence. We need to be solemn witnesses to the bones of countless victims.*

Genocide is an ancient crime. Yet, it is a modern concept. As a political scientist and a grandson of an orphan of a genocide, I wrestle with the challenge of how to explain genocide to those not directly affected. There is widespread understanding of the concept of the need to have a law dealing with the crime of the murder of one person. Every sovereign state has a law prohibiting and punishing such a deed. But a law against the mass killing of a group committed by another group is a different magnitude and area of responsibility.

Before the era of weapons of mass destruction, no one person alone could kill a million other human beings. It required others, many others to assist in the terrible slaughter. It was thus an act of the many, committed against a multitude of others. In essence, it is a deed against one group by another. In recent decades, it is usually done in the name of the majority against a minority.

## Needing A Word For It

Two world wars would provide the crucial ethnic, linguistic and religious ingredients for a boiling cauldron to spill its hatred, violence and mass death. In the early 1920s, Raphael Lemkin, as a young university law student, would try to comprehend the reasons for the mass slaughter of Christian Armenians by the Muslim Ottoman Young Turks in World War I. How could there be such hatred? How could so many ordinary human beings become such active participants in such violent and murderous acts against their neighbors? How could a state inflame such hostility towards one of its own peoples? What extreme conditions could give rise to such mass murder? What terrible ideological vision for the present and the future did these commanding persons possess? What kind of society were they trying to create? What academic word would suffice to describe such dreadful deeds?

Throughout the 1930s, Lemkin, as a young lawyer, searched for a term that could convey the awful breadth and depth of such mass torture and slaughter. As a Polish citizen, Lemkin saw his country overrun by the German Nazi onslaught at the opening of World War II. He feared for his family, friends and people. As a Jew in Nazi Europe, Lemkin was in grave danger of being targeted for death. Accordingly, he fled to a safer locale. Yet, despite witnessing so much carnage, horror, and despair, he still envisioned a better world with a new form of international justice. To do so required inventing a powerful concept to designate the planned mass killing of an entire people. It would be a term not only to describe the horrific, but also eventually used to punish wrongdoers. Thus, amidst the despair of the most deadly war of the twentieth century, a new term "genocide" rose.

Almost all of Lemkin's family perished in the Holocaust, but while describing horrific conditions in Nazi Europe in 1944, Lemkin gave the world that concept, which would help transform the international legal system. A few years later in 1948 he would inspire and cajole the newly created United Nations to pass the Convention on the Prevention and Punishment of the Crime of Genocide.

The creation of the UN was the international community's second attempt at world governance following a world

war. Each attempt was a quest for a more peaceful and just world. In creating the United Nations, some constitutional power and authority needed to be ceded to the international community. The UN would have more scope and power than the League of Nations. At the same time as the UN's executive and legislative structures were being assembled, two key pillars of a world charter of rights were put into place. Upon the UN Universal Declaration of Human Rights and the UN Convention on the Prevention and Punishment of the Crime of Genocide rested many of the hopes of a post-war world. If the Declaration of Human Rights reflected the world's loftiest goals and idealistic aspirations of what could and should be, the Convention on Genocide sought to punish the darkest side of the political realm -- the attempt to obliterate another people.

The United Nations' definition of genocide highlights several key features: 1) killing members of the group; 2) causing serious bodily or mental harm to members of the group; 3) deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part; 4) imposing measures intended to prevent births within the group; and 5) forcibly transferring children of the group to another.

One pivotal aspect is the "group" nature of the victim. A key feature of genocide is that it is not simply a sum of a million individuals killed. It reflects a malevolent purpose and sequence in which a collective group is identified and targeted. The members of the group are increasingly harassed, persecuted, deprived of their possessions and property, assaulted, driven from their homes and neighbourhoods, and even expelled from their ancestral homeland, and then, finally force-marched along the road to slaughter. The mass slaughter of the Armenian Christian minority in World War I and the European Jews in World War II were two pre-eminent contemporary historical examples.

History has revealed how national groups can all too easily become victims. Such groups, particularly when they are a distinctive minority, are often portrayed as less human and even treated as aliens in the eyes of others within their society. As the malignant roots of genocide take hold, the victims are increasingly perceived as a major threat in their own country. And so they are targeted and punished for imagined present or future deeds.

The genocide victim, like a rape victim, is shocked and traumatized by the abrupt assault. These people will never again be the same. They are forever transformed. The denigration, the stigma, the pain, the loss, the violence, the death of so many of their kin, and the forced relocation -- all take a terrible toll. The lack of protection by others and the woeful indifference of so many, both then and later, are mystifying. The victims look back longingly for happier times, but also must embark on a painful and seemingly endless quest for justice. They despair at the inadequacy and slowness of the legal systems. They are confronted by the repeated denials by the perpetrators, and are demoralized by the suggestions of well-meaning others to "move on" with their lives.

The genocide victim, like the rape victim, suffers in ways that others cannot fully comprehend, either intellectually, emotionally, or morally. Colleagues, friends, neighbors, doctors, nurses, aid workers, journalists, lawyers, academics and politicians will never fully grasp the nightmarish experience. But they all need to listen and to realize that the victims of genocide will never again be whole, either as individuals or as members of their nation. Many of an entire generation of this ethnic minority have been maimed or killed. Countless bodies are missing, without proper gravesites or memorials. Homes and places of worship were vandalized and destroyed. Their skeletal ruins serve as a ghostly reminder to the next generation that it must not forget. The survivors desperately seek recognition to have

the crime acknowledged. They call for, at the minimum, symbolic restitution. If the wounds on a people are to begin to heal, they also need the help of others. The many bystanders of yesterday, who did too little to help, must finally resist the "sin of indifference." They need to show compassion and say: "I hear your pleas and I make this firm promise: I will acknowledge what took place. I will speak up and add my voice, in place of those who have been brutally silenced. I pledge that I will offer a helping hand to you and any future victim. Genocide must stop. Genocide denial must cease."

While genocide is an ancient crime, it is a pressing global concern. The past can serve as a warning. We must not shove aside the evidence. We need to be solemn witnesses to the bones of countless victims.

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