

The Role of Genocide Scholars in the Misuse of “Genocide”

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Abstract

Genocide is a widely misused concept, most notably as an aspect of the discourse of crimes against humanity and humanitarian intervention. Genocide scholars may decry this, but their own treatment of the topic of genocide feeds this discourse and furthers the misuse of the term “genocide”. By eroding objective definitional criteria and using a canon of “classic genocides”, genocide is turned into an unjustifiably malleable term and given associations with the actions of poorer states engaged in internal repression while being distanced from international acts of aggression by wealthier states. Central to this process is the issue of intentionality. For perpetrators from poor states intentionality is assumed, for Western interventions a lack of intentionality is assumed. Evidence of intentionality is only sought and used selectively, according to predetermined criteria. *They* (the barbarians) commit genocides. *We* (the civilized) commit blunders.

Certain words are so highly politicized in their usage that, in Orwellian fashion, they are stripped of all meaning and become merely signals designed to provoke an impassioned unreasoning involuntary response. In this fashion “democracy” means “double-plus good” and the Party members respond with cheers and tears of joy. Equally, “terrorism” means “double-plus bad” provoking among Party members a “hideous ecstasy of fear and vindictiveness, a desire to kill, to torture, to smash faces in with a sledge-hammer....”¹ Stripped of any actual meaning but given the significance of being the “ultimate crime”, genocide becomes a tool by which powerful Western states are able to threaten or carry out attacks against weaker states. The emotive misuse of the term genocide has become a powerful political tool, stripped of its actual meaning, genocide becomes a way of preventing thought, a signifier of double-plus badness which provokes *unthinking* reaction. As Jeremy Scahill reveals after accusations of genocide by “Arabs” against “black Africans”, “even at antiwar rallies, scores of protesters held signs reading, 'Out of Iraq, into Darfur.'” Scahill adds that, “[a] quick survey of Sudan's vast natural resources dispels any notion that U.S./corporate desires to move into Sudan derive from purely humanitarian motives.”²

US Genocides

The power of a word which can turn antiwar activists into advocates of criminal military aggression is hard to overstate. At the same time, it is rendered very difficult to assert that the US engages in genocide, even though in individual cases robust claims of US genocide have been made. Eric Markusen and David Kopf make the case that Allied bombing policies in WWII were genocidal.³ Korean history scholar Bruce Cumings has noted regarding the US ratification of the United Nations Convention on the Prevention and Punishment of the Crime of Genocide (UNCG): “It was approved in 1948 and entered into force in 1951 – just as the USAF was inflicting genocide, under this definition and under the aegis of the United Nations Command, on the citizens of North Korea.”⁴ Dong Choon Kim published an article on US and Republic of Korea massacres in the *Journal of Genocide Research*.⁵ A Finnish Inquiry Commission designated the years 1969 to 1975 in Cambodia – a time of massive aerial bombardment by the US and of bitter civil war wholly sustained by the US – as Phase 1 of the “Decade of Genocide”.⁶ Herman and Chomsky further observe that due to its sheer scale the bombing of that country in 1973 “might truly merit the term genocidal.”⁷ In that era, after deserting *en masse* some US sailors explained: “The only way to end the genocide being perpetrated in South East Asia is for us, the actual pawns in the political game, to stop playing.”⁸ Although initially skeptical, the panelists in the Roskilde session of the Russell War Crimes Tribunal, considering the logic of Jean-Paul Sartre's famous condemnation of US genocide,⁹ were eventually unanimous in condemning the US under the Genocide Convention, and that was in 1967 before the greatest tempo of civilian deaths.¹⁰ Some people on the ground in Vietnam also came to the same conclusion. Magnum photographer Philip Griffiths said: “The closer you got to the war... the more you objected to what you saw. Eventually I believed that what America was doing in Vietnam was genocide.”¹¹

And then came Iraq. In 1999 Ramsey Clark wrote to each UNSC plainly labeling the sanctions as genocide and providing evidence the “Oil for Food” program was insufficient to end the continued

mass mortality or even to halt the increase in deaths from water-borne disease, while the US acted “in a systematic way to prolong the genocide against Iraq.”¹² Another establishment figure who came to see the sanctions regime as genocide was Dennis Halliday. After 35 years working for the UN, Halliday resigned after less than a year in charge of the “Oil for Food” program, citing opposition to the sanctions and freely using the word genocide.¹³ His successor, Hans von Sponeck, retired from the UN for the same reason and has concurred that the sanctions regime was genocide.¹⁴ His book on the sanctions details the unrelenting and energetic effort that US and UK officials put into exploiting every possible loophole which allowed them to prevent life-saving materials from entering Iraq.¹⁵

The growing recognition of genocide was drowned out in the wake of 11 September 2001. But what happened after April 2003? It should be readily apparent that the manifold aspects of genocide only intensified – deaths, economic destruction, cultural and social disintegration, elitidal assassinations of community leaders, scholars, union leaders, professionals and journalists. The resemblance between what was occurring to Iraqis under US occupation and what occurred to Poles under German occupation, Lemkin's prime exemplar of genocide,¹⁶ should shock anyone. For over two decades the US has put a large amount of its energies into committing genocide in Iraq with whichever means were most expedient at the time – bombing, sanctions, invasion, occupation. Using everything from depleted uranium to fraud to neoliberal “ideology”, the US has dismantled the economic and social fabric of Iraq, immiserated most of its people, and killed in massive numbers, probably well in excess of 2 million, a very large portion of whom were killed directly by US munitions and personnel.¹⁷ Isn't this obviously a case of genocide? Apparently not.

In what Gore Vidal describes as the “United States of Amnesia”, the past doesn't really exist. Thus not only is there no continuity between different phases of the Iraq Genocide, there is no admissible strategic similarity between the Iraq Genocide and previous US genocides. The amnesia works in conjunction with accepted academic and journalistic practices to create an interminable unconsolidated and entangled “discourse” on motives, policy and intent. Bear in mind that, although

it is seldom mentioned, it is uncontroversial and easily demonstrated that the US has systematically and intentionally killed civilians in Korea, Indochina and Iraq – most notably in aerial bombardments. What can that be if not *prima facie* evidence of genocide? The excuse that the US is waging war is, of course, the excuse proffered by all modern perpetrators of genocide, and why should we lend greater credence to such claims than those of Turks, Germans, Rwandans or Serbs? How then do genocide scholars further the atomization of knowledge which exculpates the US in serial genocides and creates a dissonance regarding pre- and post-invasion US policy in Iraq? The maximum utility of the word “genocide” for the US would be achieved by dissociating the word from inter-state acts of war, from the use of expensive military technology, and from the developed world altogether; the associations should instead be with people of color, in poor countries, against their own citizens, using small arms rather than, for example, cluster bombs or depleted uranium. By an amazing coincidence, that is exactly the sort of imagery which is becoming ever more commonplace in both the mainstream and the academic discourse of genocide.

Many genocide scholars are skeptical of “humanitarian intervention” in specific terms, but they are themselves key producers of the discourse. Genocide scholars furnish the malleable politicized definitional discourse on the meaning of “genocide” and partake in the pervasive and immense double standards which permeate scholarly and mass media discourse. The former matter is the focus of this article, but I will illustrate the latter with a single commonplace example.

Uğür Ümit Üngör derides the approval of the “Iraq 2003 model” as a model of humanitarian intervention. However, he backs this criticism with “the 106,035 civilian deaths” which had occurred according to Iraq Body Count (IBC).¹⁸ I have already cited studies which suggest an entirely different order magnitude for civilian deaths. These are not without their critics. Michael Spagat, for example, has indicated to many irregularities in the *Lancet* study cited (L2) above and suggests strongly that there has been both fabrication and falsification of evidence.¹⁹ However, none of this brings us closer to an understanding of mortality in Iraq – Spagat, for instance is only interested in matters which inflate L2’s reported mortality, not all of the situational and

methodological factors which caused under-reporting. I cannot herein detail all of the fragmentary data which would suggest that L2 is in the region of the correct figure, though a meta-study in *Conflict and Health* does support the superiority of population studies against “passive reporting” such as that of IBC.²⁰ Killing two birds with one stone, however, we can get a good idea of just how massively understated the IBC figure is. Consider that 6 months before Üngör published his article, the IBC figure jumped 14% overnight, already making his figure (accessed 2 months before the jump) inadequate. The reason was the release of Wikileaks's *Iraq War Logs (IWL)*. IBC claimed to have found an extra 15,000 civilian deaths,²¹ but a group from Columbia University School of Public Health found that 72% of the 66,000 civilian deaths were not accounted for by IBC,²² hence only 17% of IBCs *ci-devant* 107,000 were found in the *IWL*. Given that there is likely to be a greater than random overlap, when analyzed these figures actually suggest a mortality above 400,000 and do not preclude much higher figures.²³ Bear in mind that the *IWL* is thought to cover about 50% of US military reports (omitting special forces actions, for example, not to mention the incident shown in the footage released as *Collateral Murder*). Also remember that, as with the “mere gook rule” in Vietnam,²⁴ US forces regularly report civilian deaths at their own hands, such as those in *Collateral Murder*, as being combatant deaths as a matter of policy.²⁵

It is precisely because Üngör and others like him cite the IBC figure that it gains respectability as an indication of total Iraqi civilian deaths. But imagine if there were a Rwanda Body Count. As it happens, using the requirement of reporting for acknowledging civilian death that IBC requires would have produced an absolutely negligible number, but let us assume instead that the number reported is 90,000. Imagine the reaction if a respected peer-reviewed genocide scholar used that figure as representing the total of civilian dead in Rwanda. Even deniers of the Rwanda genocide would not dare utter such a low figure for civilian death. By rights this blithe apologism should set off the same howls of protest over Iraq that it would over Rwanda. Instead Üngör can simply vastly understate the civilian death toll in a US operation with a single outdated citation as evidence, while those, such as myself, who choose to state a more likely figure are forced to devote hundreds of

words to explication. This is only an example, and it is nothing specific to genocide scholars. The tendency to apply double-standards to matters of fact is widespread when it comes to Western crimes versus those of enemies of the West. What is specifically pertinent to genocide scholarship is the manner in which they conceptualize genocide itself to effect a similar exculpation of the West. This, in turn, has caused many scholars concerned with Western crimes against humanity to reject the very term genocide itself.

Rejecting "Genocide"

Concern with the political misuse of the term genocide is behind Herman and Peterson's book *The Politics of Genocide*. It follows a framework established by Herman in conjunction with Noam Chomsky over 30 years ago when accounting for the Western propaganda treatment of "bloodbaths." For Herman and Peterson misuse of "genocide" has meant that "the crime of the twentieth century for which the word was originally coined appears debased...."²⁶ In a similarly themed book Michael Mandel also claims that there is "debasement".²⁷ Both works decry the increasingly widespread rejection of the consideration of the crime of interstate aggression, established at Nuremburg as "the supreme international crime."²⁸ It is officially excluded from consideration by the ICTY, the ICTR and the ICC. Both Amnesty International and Human Rights Watch equally refused to comment on the legality or criminality of the US invasion of Iraq in 2003.²⁹ Aggression has gone from being the "supreme crime" to something which no significant body will even take a stance on, because that would be to take a *political* stance of judgment, as if this were not also the case when taking a stance on other crimes and human rights abuses. In contrast, according to the BBC, "[g]enocide is understood by most to be the gravest crime against humanity it is possible to commit."³⁰ This BBC article, however, is part of the discourse which seeks to create that purely moral definition, while throwing doubt on any legal or technical definition, often on the grounds that they do not carry within them a sufficient moral weight. Thus any definable characteristic is effaced and replaced with "double-plus bad". As Herman and

Chomsky wrote: “We can even read who are the U.S. friends and enemies from the media's use of the word.”³¹

As Hitler analogies and Munich analogies wear out from overuse, “genocide” has become the keystone accusation in a new discourse of “humanitarian intervention”. Although some genocide scholars acknowledge that consideration of intervention should be based on human suffering, not whether that suffering happens to fall into the category of genocide,³² in reality genocide, as a word, will continue to have great emotive power. A “Rwanda analogy” on the dangers of inaction has replaced the “Munich analogy” on appeasement. Of course it was not US inaction, which as Stephen Wertheim has shown was inevitable,³³ but rather the fact that the Clinton administration enforced inaction on others which became their most noted contribution to slaughter which occurred in Rwanda.³⁴ So having prevented others from intervening to stop one of the greatest slaughters in history, the US begins an elaborate hand-wringing exercise in order to give itself license to intervene wherever else it likes. The resulting discourse of “humanitarian intervention” and R2P is a direct attack on norms of state sovereignty which offer some protection for weak states against strong states. It is also, as Michael Mandel points out, a long-standing excuse for acts of aggression, most notably used as such by Adolph Hitler.³⁵

It is understandable that some therefore reject the use of the term “genocide”, but it is regrettable. Noam Chomsky has said: “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. ... I just am reluctant to use the term. ... It has whatever meaning you decide to give it. ... It depends what your criteria are for calling something genocide.”³⁶ Chomsky is, in fact, wrong in every detail on which he bases that judgment, but understandably so. Who, after all, wants to split hairs over the exact nature of the Shoah? The fact is, however, that “genocide” is a term which, despite the close association, exists entirely independently of the mass killings of Jews during World War II, and it did from its inception. It is also a legally defined term. Whatever the legal situation, however,

genocide is a far more useful term than aggression when it comes to analysis. Aggression tells us nothing about itself, genocide tells us not only about itself, but also may be the key to understanding the very acts of aggression that most concern Mandel, Chomsky and many others. They reject the term, however, because of the widespread distortion and misapplication in which genocide scholars play a central role.

The Scholarly Distortions.

Two key distortions of the concept of genocide have already been touched upon. The first is the tendency to define genocide by a moral character rather than to apply analytical criteria. A corollary of this is the use of chauvinistic moral criteria in choosing to discern or not discern intentionality – materially advanced Western liberal democracies cannot commit genocide because they cannot ever *intend* to commit genocide due to the absence of the primitive hatreds which animate less materially endowed societies. The second is the attempt to create a sense that genocide is primarily undertaken by states against their own internal minorities. Another, far more excusable, error is the concentration on dramatic explosions of violence, as in Rwanda. But the very chaos and instability surrounding such cases actually makes them somewhat problematic with regards to intentionality. In contrast, a long slow genocide undertaken by a stable state entity that is inevitably well appraised of the lethal effects (such as the “sanctions period” in Iraq) presents no such problems with regard to intentionality.

Even within the field of genocide scholarship, there is a great deal of internal criticism, not just of individuals, but of the whole collective. In the *Journal of Genocide Research* alone it may be read that “much of the scholarly writing on the connotations and history of the word 'H/holocaust' is perniciously misleading or perniciously incorrect”,³⁷ and that the genocide field is characterized by “conceptual disarray and theoretical aridity.”³⁸ Those studying genocide cannot even agree on what they are studying, and so there is an “interminable definitional debate”.³⁹ In the words of Henry Huttenbach, “The absence of an approved basic definition has resulted in a form of near-intellectual

chaos, almost reducing genocide to a term of convenience, serving each scholar's biases for or against recognizing an event as a genocide."⁴⁰ But, with the exception of the first quote given, this is all rather meaningless, there is no sense that these critical scholars might dare to step back and examine the field as a whole.⁴¹ They criticize without seeking the common origins of the many flaws they perceive.

The most outstanding feature of genocide scholarship seems to be an epidemic of sheer obtuseness when it comes to both Lemkin's and the UNCG's definitions of genocide. This is particularly frustrating because the "theoretical aridity" of the field could be rectified by a moderately astute reading of Lemkin's works. Some, such as John Docker,⁴² accept Lemkin's conception as a starting point and explore it quite deeply. Most, however, elide or misrepresent his ideas, tending to ignore Lemkin altogether, even as they cite him. For example, Daniel Feierstein, somehow manages to avoid noticing that by definition the victim of genocide is the *genos*, which Lemkin made amply clear, and thus to rail against the unjust specificity of the UNCG: "A homicide will always be a homicide, regardless of the person who is killed," adding, "[a] crime is never defined based on the victim who suffers it..."⁴³ And so it falls to me to point out that nature of the victim of homicide is defined by the name homicide – killing a hedgehog or a pot plant is not homicide. In a similar vein, Huttenbach adds to the confusion which, as was shown above, vexes him. He devotes an editorial to asking why Lemkin did not choose to use existing terms connoting mass murder, something which apparently is beyond his ability to answer and remains a "gnawing question."⁴⁴ Of course he might have read in Lemkin the following words: "Would mass murder be an adequate name for such a phenomenon? We think not, since it does not connote the motivation of the crime..."⁴⁵ and elsewhere that, "[t]he intent of the offenders is to destroy or degrade an entire national, religious or racial group by attacking the individual members of that group."⁴⁶ Lemkin is not denying, somehow, that mass murder is a crime in itself, but rather pointing out that it is one among many means to commit what he considers a different crime.

Mark Levene is equally rough on Lemkin. He asks the question of whether the Nazi genocide of

Jews began in 1933. One might think that he would celebrate the fact under Lemkin's conception genocide could be apparent years before mass extermination began, especially as Levene endorses Chalk and Jonassohn's contention that, "the major reason for doing comparative research on genocides is the hope of preventing them in the future". Instead, however, he criticizes Lemkin for not anticipating and subscribing to his own novel distinction between "genocidal process" and genocide and for creating a "misconceived conflation" of the two. So how does he distinguish between the two? Genocide is a "specific sequence of mass killing":

...this is the only way genocide can be distinguished as *sui generis*, the fact that genocide usually arises out of an extremely long and laboured gestation and, indeed, is itself only at the extreme end of a continuum of repressive state strategies including marginalisation, forced assimilation, deportation and even massacre – all of which might share the latent if not explicit aim of "getting rid" of the perceived "problem" population – confirms that the problem of giving clear definition to its beginning, middle and end – in other words its exact shape – remains a stark one.

It is an oxymoron to suggest that on the one hand genocide is *sui generis* and on the other that it exists on a continuum. Levene essentially says as much, admitting a "certain unsatisfactory, even contradictory, messiness to the exact parameters of our subject". What is of interest here is that he has abandoned a clear and defined concept of genocide for one that cannot be given bounds which are not contingent. Of course, that would be quite handy in selectively including and excluding genocides on politically informed grounds.

Levene also criticizes Lemkin for including the ethnocide of Luxembourgers as an exemplar,⁴⁷ while somehow neglecting to mention, or perhaps notice, that Lemkin's whole purpose in coining the term genocide was as a way of drawing links between Nazi policies of extermination and those of ethnocide. Lemkin wrote: "Jews were to be completely annihilated. The Poles, the Slovenes, the Czechs, the Russians, and all other inferior Slav peoples were to be kept on the lowest social levels. Those felt to be related by blood, the Dutch, the Norwegian, the Alsatians, etc., were to have the alternatives of entering the German community by espousing 'Germanism' or of sharing the fate of the inferior peoples."⁴⁸ His very point in including Luxembourg and similar examples seems to have

been to highlight the fact that genocide was something distinct from mass murder; otherwise there would hardly be a need to coin the term.

Staying with Levene, he writes:

Starting then from Lemkin's premise that genocide is a *type* of warfare but one which would appear to involve the (unlawful) actions of a sovereign state waging war against a non-sovereign national or other group, the obvious contrast would be with sovereign states who go to war with other sovereign states, this type of conflict being considered "normative" and acceptable, at least in a Clausewitzian sense.⁴⁹

I would argue that Levene is wrong in his characterization of war, but, more to the point, his characterization of Lemkin's conception is completely fictitious. Lemkin wrote: "Genocide is the antithesis of the Rousseau-Portalis Doctrine, which may be regarded as implicit in the Hague Regulations. This doctrine holds that war is directed against sovereigns and armies, not against subjects and civilians. In its modern application in civilized society, the doctrine means that war is conducted against states and armed forces and not against populations." He was *not* suggesting that this somehow excludes the situation where "sovereign states ... go to war with other sovereign states." Indeed, he continues, "the Germans prepared, waged, and continued a war not merely against states and their armies but against peoples." The difference is that, unlike a Clausewitzian conception of war genocide does not end with surrender or the decapitation of the "sovereign", and the prosecutor of genocidal war does not direct all of their energies into that pursuit. It is very important, however, for Levene to circumscribe what might be considered to constitute genocide. His basic premise is that genocide is a "systematic dysfunction"⁵⁰ arising in nation-states. He excludes without reason any possibility that genocide might be conducted by one sovereign state against the people of another. In his second volume he writes:

The primary thrust of *Genocide in the Age of the Nation-State* is to propose that the origins and continued momentum towards the potentiality for genocide in the modern world has been intrinsically bound up with the strivings – albeit convoluted and often frustrated – of societies towards some form of national, territorially grounded coherence. Which rather raises the question of why the final section of this volume should be devoted to the subject of empires.⁵¹

In fact it would be hard to imagine a volume devoted to *The Rise of the West and the Coming of Genocide*, which somehow avoided mentioning imperial/colonial genocide. Even the Holocaust (in which I include German genocidal mass murder of all ethnicities during WWII) and Shoah do not fit within Levene's scheme. The majority of Jewish victims were not German citizens. The bulk of genocidal killings occurred in the lawfully sovereign territory of the Soviet Union. If occupied Europe was a polity, then it was most assuredly an empire. If not, then the Nazis were carrying out genocides of the peoples of sovereign countries, regardless of their ethnicity. Levene admits neither possibility, and thus his prime supposed exemplar of genocide, the Shoah, is actually excluded from his analysis.

But Levene is by no means alone. The Shoah is regularly constructed as being conducted against an internal enemy of the Third Reich, the final insult to Raphaël Lemkin, a Polish Jew. Most who write about genocide have incorporated the concept that genocide is an attack on an internal enemy. It is seldom stated but is implicit in every choice of example or observation of characteristics supposedly typifying or defining genocide. For example, Catherine Barnes restricts genocide to the "type of regime that tries to establish itself as an absolutist form of authority in its domain and – at a minimum – tries to limit the potential for other independent political or social organizations that could challenge it."⁵² Most definitions display the same presupposition in greater or lesser degree – usually by emphasizing the "State" or other *singular* authority as perpetrator and sometimes by stressing the defenseless or subsidiary nature of the target population. (Scott Strauss has compiled a table of definitions using definitional quotes from the sources. With symptomatic contempt for Lemkin, however, the originating definition of genocide is reduced to the words: "Destruction of a nation or of an ethnic group").⁵³ A typical example, probably because it has influenced others, is that of Chalk and Jonassohn: "Genocide is a form of one-sided mass killing in which a state or other authority intends to destroy a group, as that group and membership in it are defined by the perpetrator."⁵⁴ This tendency becomes clearest when examining the numerous typologies of genocide.

Scott Strauss identifies six typologies of genocide.⁵⁵ Of the six detailed only one does not base itself on an imputed motive – that of Leo Kuper, dating back to 1984, which bases itself on the victim group and excludes genocidal war. Israel Charny's typology is only partially based on motive and admits both “genocide in the course of aggressive war” and “war crimes against humanity” allowing the consideration of Nazi and Japanese genocidal warfare as well as Allied bombing. Of the rest, each is based purely on “perpetrator objective”. This is problematic in itself because perpetrators will always be varied in motive, and it may be self-deceptive to ascribe one particular objective a greater significance, particularly when each of these typologies is restrictive rather than listing every possible motive that could impel an act of genocide. Of these four typologies, only that of Chalk and Jonassohn does not effectively exclude genocide against an external target group in modern times.⁵⁶

Restricting genocide to a particular presupposed type of target group works closely with the same tendency towards perpetrators. Like Barnes, Levon Chorbajian restricts perpetrators to “authoritarian states.”⁵⁷ More common, however, is the attempt to exclude “liberal” regimes from even being considered as potential perpetrators. Credit here should be extended to Mark Levene who writes: “being able to identify a state regime as a particular political type, does not *of its own* advance description, conceptualization or explanation of our phenomenon. Genocide is not something fixed in the make-up of regimes.”⁵⁸ He criticises R.J. Rummel for, “what seems an almost wilful myopia about mass murders committed directly or indirectly by liberal democratic regimes....”⁵⁹ This works as a kind of prejudicial exoneration of those regimes deemed “liberal”, which is in itself a highly politicized term with very selective usage. Sadly, however, Levene performs exactly the same trick of exculpation for the “avant-garde” nation-states, whose genocides, according to him, lie exclusively in their imperial pasts. For Levene it is those seeking to replicate their modernization as nation-states (namely the poorer states) who commit genocide. According to this analysis, established modern states do not have a reason for committing genocide, which just happens to exclude the exact same “liberal” regimes which he criticizes others for

excluding.⁶⁰

Another means by which scholars create restrictions is by focusing on ideology and specific and dramatic psychosocial factors as the origin of genocide. The process is tautological: genocide is brought about by extremism and genocide is proof of extremism. Part of the problem is that extremism, like so much else, is in the eye of the beholder. As both an example and a counter-example, Naomi Klein's *Shock Doctrine*, presents many individuals who could easily be described as neoliberal or Friedmanite extremist ideologues, perpetrators of what is thought by some to be genocide. For Klein it is not the individual ideology *per se* that brings about genocide, but its extremist form: "Usually it is extreme religious and racially based idea systems that demand the wiping out of entire peoples and cultures in order to fulfill a purified vision of the world."⁶¹ But to ascribe motive power to extremism is to presuppose sincerity. It has been shown that even Hitler was probably not sincere in his anti-Semitism (at least not consciously).⁶² Equally, Rwanda's Juvenal Habyarimana, who had many Tutsi friends and had appointed many as colleagues, increased racial tension as a way of using the threat of massacres as a bargaining chip with the Rwandan Patriotic Front (RPF). This was as tragic as it was ruthless, because the equally, or more, ruthless RPF knew that their only path to power lay over a mountain of corpses of their fellow Tutsi⁶³ - showing that the chauvinist Tutsi ideology which many of their number openly espoused⁶⁴ was equally contingent.

Leaving aside the leaders who initiate genocide, it is also well established that those tasked with carrying out genocide are not primarily motivated by ideology. To take the Shoah as an example, despite being primed with anti-Semitic hatred most Germans did not support exterminatory genocide.⁶⁵ There were even anti-Semitic rescuers who saved Jewish lives throughout Europe.⁶⁶ Christopher Browning's account of a massacre committed by Reserve Police Battalion 101 shows that any racial animus among perpetrators was seemingly insufficient to make any openly relish the idea of killing Jews.⁶⁷ On the bureaucratic level there is also the example of Adolph Eichmann who has come to epitomize the dangers of authoritarianism, while being no fervent anti-Semite.⁶⁸ Robert

Jay Lifton reveals that for SS doctors at Auschwitz, confronted with actually carrying out in reality what had only been the “propaganda verbiage” of extermination, there was a shock and “resistance to taking in the dark side of Nazi actuality”. Anti-Semitism, however, did play a large role in adjusting the doctors to their task.⁶⁹ Moreover, in Rwanda racial feeling, which may have often been more to do with mistrust turning to fear than with hatred, informed perpetrator choices, but there were other pragmatic factors which were of more immediate concern.⁷⁰

In these cases, and in most cases where someone takes a human life, there is a psychological need to reconstruct the killing as a righteous act. As Dave Grossman writes of soldiers committing massacres:

The soldier who does kill must overcome that part of him that says that he is a murderer of women and children, a foul beast who has done the unforgivable. He must deny the guilt within him, and he must assure himself that the world is not mad, that his victims are less than animals, that they are evil vermin, and that what his nation and his leaders have told him to do is right.

He must believe that not only is this atrocity right, but it is proof that he is morally, socially, and culturally superior to those whom he has killed. ... And the killer must violently suppress any dissonant thought that he has done anything wrong. ... His mental health is totally invested in believing that what he has done is good and right.

It is the blood of his victims that binds and empowers him to even greater heights of killing and slaughter.⁷¹

Thus the “propaganda verbiage” of hate becomes very real and necessary, but only in the immediate face of the act of killing or in its enduring aftermath rather than as a precursor and motive. With respect to Rwanda, Luke Fletcher ends by asking, “Could hatred, far from causing the genocide, have been generated by it?”⁷² Ben Lieberman describes a similar process amongst formerly friendly neighbors in Bosnia-Herzegovina, whose embrace of nationalist ideologies in the face of violence he feels is “a case of cognitive dissonance.”⁷³ But, as Grossman suggests, suppressing “dissonant thought” actually impels further killing. Grossman goes on to say that this is also true at the leadership level, and is one path to a sort of moral inversion wherein the more horrific one's behavior the more morally exalted one feels for having the strength to commit atrocities in the

service of a higher good.

We cannot know the exact role that heartfelt racial/national ideology plays amongst the small groups of architects behind genocides (it has been found that nearly all genocides are planned and set in motion by small secretive governmental cabals, or by equally closed groups which putatively do not command state power).⁷⁴ Such ideology may, consciously or subconsciously, shape the decision to embrace the logic of genocide, but equally tropes of blood sacrifice or other ideological notions that are not inherently hateful of a particular group may be formative. Abnormal psychology, too, may play a role. The need to reinforce the righteousness of killing is not confined to instances of killing women and children. For example, the fact that Nazi leadership had many veterans of WWI, many of whom would have been induced to essentially glorify killing by their own acts of killing, was just as relevant to the Final Solution (and the euthanasia program that preceded it) as it was to the decision to launch WWII. As Yeyuda Bauer wrote: “The killing, mutilation and gas poisoning of millions of soldiers on both sides had broken taboos and decisively blunted moral sensitivities. Auschwitz cannot be explained without reference to World War I.”⁷⁵

Ideology may serve as a motive for the individual killer, but it seems to perform a more important role as an empowering part of the apparatus of genocide. It is a part of a genocidal infrastructure and broadcasts of hate propaganda are a means of building the infrastructure. Further, the degree of sincere ideological motive is liable to vary within each such group, but what is constant is the functional logic of genocide that lies at the heart in Lemkin’s original conception. It is also comparatively objective and more difficult to conceal. By contrast, that which constitutes a “genocidal ideology” is open to interpretation and can be promulgated through euphemistic language which scholars may selectively penetrate or ignore. This is done according to the tautologically inspired rule of applying such scrutiny only to the approved canonical genocides.

Intentionality

This brings me to the next category of exclusion, that of intentionality. Here selectivity creates a virtual get-out-of-jail-free card for “liberal” regimes. What seems to be a racial hierarchy of doubt is given preferentially to those considered worthy of it. Despite, for example, the fact that the Nazis were unequalled in genocidal killing, there is, or was, an entire school of thought devoted to questioning their intentionality.⁷⁶ In Cambodia, despite the implausibility of fierce Khmer nationalists actually *intending* to destroy their own nation in whole or part, intent is considered amply demonstrated by the fanaticism and bloody rhetoric of the ruling clique of the Democratic Kampuchea (DK) regime – which Adam Jones describes as a “genocidal ideology”.⁷⁷ If this were applied to the case of genocide against, say, the Cham minority; the people of the “Eastern Zone” or even the massacres of Vietnamese conducted in the border regions, then it would be valid. But Jones applies the “genocidal ideology” to a highly dysfunctional autogenocide in a regime where central control of events was questionable. As Edward Kissi explains:

Michael Vickery, David Chandler, and Serge Thion argue that the Khmer Rouge leadership never intended to use its revolution as a mechanism for destroying particular groups of people. ... Chandler considers the deaths in revolutionary Cambodia as the unintended consequence of a social revolution.... Serge Thion has argued that the Khmer Rouge leadership never had the power and control required for the commission of the atrocities of which they are accused. Anthony Barnett and Ben Kiernan disagree. They contend that revolutionary Cambodia was tightly controlled by the Khmer Rouge leadership.⁷⁸

In fairness to Jones he, like myself, accepts that the commission of genocidal acts is demonstrative of “constructive intent”. Where we differ is that Jones, and others, see constructive intent as a form of intent sufficient in itself for the necessary component of intentionality within genocide, but seems unconcerned if the acts themselves are not of a genocidal nature. For example, along with the orthodox inclusion of the DK autogenocide, he accepts that the “contested case” of the Atlantic slave trade was genocide.⁷⁹ I do not, and I think it is worth explaining the distinction. By way illustration it is worth comparing the Atlantic slave trade with genocide in Potosí where 8 million people were worked to death in order to extract silver.⁸⁰ But the very enslavement of these people, as well as their systematic and predictable destruction, was a part of a genocide involving ethnocide

and repeated massacres. As Levene puts it this involved: “the wholesale destruction of their political structures and autonomous power so that, suitably subjugated, their populations could be put to enforced work, in effect enslaved, in order to enrich their new Castilian masters.”⁸¹ The Atlantic slave trade *per se* did not involve destroying the *genos* (although such may have occurred in Africa in the course of capturing slaves). Instead, slaves, severed from interconnection with their originating *genos*, were managed by keeping them in a more or less atomized state. It was for this very reason that they were preferred to indigenous slaves – they had nothing to run away to.⁸² The slave trade was, in short, structurally different from genocide.

To return to Levene’s comment above, it should be noted that his seemingly perfect description of a genocide is not intended as such. According to Levene, this is merely “hyper-exploitation” because it lacks exterminatory intent. He writes, “this was not a policy or strategy geared towards killing the natives or their replacements outright but extracting as much labor out of them as possible....”⁸³ This statement is quite simply wrong. These people were intentionally worked to death. There is no recognition given by Levene that up to 8 million people in Hispaniola were exterminated by the same empire using the same institutions,⁸⁴ even though he acknowledges their extinction as a result of contact with Europeans. Instead he merely writes, “There are conditions in which extermination may also emerge *out of* hyper-exploitation, most obviously when native peoples revolt against their oppressors, leading to the latter’s retributive over-kill.”⁸⁵

Levene implies that the existence of another motive (greed) precludes genocidal intent. This is in fitting with a common stance that genocide is an aim in itself rather than a method of achieving certain ends. This allows the existence of a given motive, say security or greed, to be used selectively as a strategy of denial of genocidal intent. For example, Chalk and Jonassohn prejudicially exclude aerial bombardment of civilians because the intent is to destroy the “enemy” - they work on the presumption that there is a military logic to it and therefore it cannot be genocide.⁸⁶ Akio Kimura points to the usage of the intentionality issue by deniers of the Armenian holocaust and refers to “the ambivalence between the interest in human intention and the doubts

about the access to it.”⁸⁷ There is no sound reason for preferring a given individual’s stated intent to exterminate over any number of persons unstated or even subconscious intent. Who exactly can speak or write the words that show intent? Does it need to be a sovereign or high official, or can it be any involved person?

The fact is that the occurrence of genocide is certain enough evidence of intent in itself. The only problem, which is of little consequence for analysis, is that it is not easy to ascribe to any given individual. In this I both concur and dissent from the International Criminal Tribunal for Rwanda (ICTR) decision in the *Akayesu* case which mirrored Sartre's reasoning on Indochina, but applied it to a single individual.⁸⁸ The *Akeyasu* judgment does not stop genocide scholars, and others, from using intentionality as yet another grounds for restricting what may be considered genocide. But they also attempt to prejudice analysis by giving genocide a moral status as the “ultimate crime”.⁸⁹

As David Moshman writes:

Genocide is routinely taken to be “the absolute crime, the gravest form of crime against humanity” (Ternon, 1999, p 238). As “the most barbaric crime” (Scherrer, 1999, p 14), it constitutes “the ultimate human rights violation” (Jonassohn and Bjornson, 1998, p 98). In both popular and scholarly discourse, statements of this sort are widely accepted as “self-evident” (Jonassohn and Bjornson, 1998, p 98)—so obviously true that they require no justification. ... Once we single out genocide as the worst of all crimes, then, various groups and governments and their political supporters and opponents have strong incentive to apply, or not apply, this label to various historical events.⁹⁰

Even Robert Gallately and Ben Kiernan weigh in, ignoring the precedent of Nuremburg and stating that: “Legally, genocide is the most serious crime.”⁹¹ This moral weight contributes to a tendency to define genocide as “self-evident” or “*sui generis*”. As has already been touched upon, Adam Jones includes any mass killing which he considers to be sufficiently horrific, but at least he can be said to be fairly inclusive. More typical are Chalk and Jonassohn, who, having made various specious exclusions, insist that the Kampuchea autogenocide must be included because: “The world cannot afford to ignore this form of genocide simply because most of its victims were not selected as members of racial, religious or ethnic groups. The definition of genocide must be broad enough to

encompass the case of the Khmer Rouge in Kampuchea.”⁹²

This sort of attitude exists in a mutually reinforcing loop with the “interminable definitional debate”. Moshman calls for a “formal conception of genocide”.⁹³ While I can only agree, the fact is that such a conception already exists, possibly ineradicably, in the UNCG and in the body of legal precedent developing around it. But, as Uwe Makino describes the scholarly view of the UNCG, “[w]hilst opinions amongst researchers concerning the UN concept of genocide may differ widely, on one point there is consensus: its uselessness.”⁹⁴ However, rather than attempting to apply definable or quantifiable and transparent restrictions to the UNCG definition, some scholars take the approach that adding adjectives will somehow clarify matters: “Genocide is committed against a collectivity and therefore occurs on a mass scale. But what constitutes 'mass'? Charny, Bauer, Chorbajian, and Harff and Gurr, respectively, claim that genocide involves the killing of 'substantial numbers,' 'large numbers,' a 'large ... percentage,' and 'a substantial portion' of a group's population.”⁹⁵

Writers like Chalk and Jonassohn denounce the UNCG as “of little use to scholars” due to “lack of rigor”.⁹⁶ But what of their own definition (quoted above)? To them genocide is “a form of one-sided killing” and they use this to justify the exclusion of modern genocidal war. In genocide “the victim group has no organized military machinery that might be opposed to that of the perpetrator.”⁹⁷ Does this mean we should exclude those Jews killed in the partisan warfare who are conventionally accepted as victims of the Shoah?⁹⁸ What about those killed in the Warsaw Ghetto uprising? What level of opposition should be considered? What about the case of Nagasaki, for instance, where an all but formally defeated state with no effective air defenses had thousands of civilians incinerated in a matter of seconds? Do civilians ever really have a means of opposition? Do even soldiers necessarily have some significant means of opposing aerial and ground artillery? Should we discount the Rwandan genocide of Tutsi, especially considering that the Rwandan Patriotic Army (RPA) was superior in military might to the opposing Rwandan Armed Forces (FAR)?⁹⁹ Above all, what purpose is served by introducing this subjective conditionality that has no relevance to the

original conception of genocide as the intentional destruction of a *genos* in whole or in part? The answer lies purely in the fact that it allows the exclusion of the systematic killing of civilians in “war” by Western regimes.

As for other scholarly definitions, they are similarly impossible to apply evenhandedly. I would go so far as to say that they all lack rigor. This allows some to simply shrug their shoulders and “concede” that genocide can only be seen as *sui generis*. Stein, for example writes, “[i]t is apparent that the concept genocide cannot be rescued for use as a viable category type describing a delimited cluster of defined behaviors...,”¹⁰⁰ while Powell concludes, “[t]he term 'genocide' is an evaluative concept. It refers to a complex phenomenon, one that can be described coherently in a variety of ways.”¹⁰¹ What he actually means is that the canon of politically acceptable genocides is used to create tautological descriptions of the constitutive elements of genocide. But he is wrong to ascribe coherence to these approaches, in fact inconsistencies abound and individual cases may be severely distorted and misrepresented to fit a convenient mold. That mold is the orthodox mold wherein every “classic” genocide, like those of Rwanda and Democratic Kampuchea, is violently reshaped into a cartoon version of the Shoah. As Orwell has his character Syme (who “sees too clearly and speaks too plainly”) say: “Orthodoxy means not thinking – not needing to think. Orthodoxy is unconsciousness.” If we don't have to think about genocide, then we don't have to, and indeed cannot, see it occurring plainly in front of us.

Adam Jones summarizes some of “the most common discourses of genocide denial” as being: “*‘Hardly anybody died’; ‘It was self-defense’; ‘the violence was mutual’; ‘The deaths weren’t intentional’; ‘There was no central direction’;... ‘It wasn’t / isn’t ‘genocide,’ because...’ ...the victims were not members of one of the Convention’s specified groups; because their deaths were unintended; because they were legitimate targets; because ‘only’ specific sectors of the target group were killed; because ‘war is hell’; and so on; ‘We would never do that’; ‘We are the real victims.’*”¹⁰²

It should be evident how closely this accords with the discourse relating to US intervention in Indochina and Iraq. Genocide scholars need to ask themselves how much, in their focus and choices

in analysis and theoretical construction, are they actually furthering denial of Western genocides?

How much has the focus on Third World genocides helped any victims? How much, in contrast, did it facilitate US genocide in Iraq? And how much will it help Western powers to commit genocide in the future?

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- ² Jeremy Scahill, *Blackwater: The Rise of the World's Most Powerful Mercenary Army*, (London: Serpent's Tail, 2007) 350.
- ³ Eric Markusen and David Kopf, *The Holocaust and Strategic Bombing: Genocide and Total War in the Twentieth Century* (Boulder, San Francisco, Oxford: Westview Press, 1995).
- ⁴ Bruce Cumings, *The Korean War* (New York: The Modern Library, 2010) 7.
- ⁵ Dong Choon Kim, "Forgotten war, forgotten massacres: the Korean War (1950-1953) as licensed mass killings," *Journal of Genocide Research* 6, 4 (2004): 523-44.
- ⁶ Edward S. Herman and Noam Chomsky, *Manufacturing Consent: The Political Economy of the Mass Media* (London: Vintage, 1994) 260.
- ⁷ *Ibid*, p 273.
- ⁸ Jonathan Neale, *A People's History of the Vietnam War* (New York: The New Press, 2003) 178.
- ⁹ Jean-Paul Sartre, "On Genocide" (1967). Retrieved 2 September 2007 from <http://www.brussellsribunal.org/GenocideSartre.htm>.
- ¹⁰ Arthur Jay Klinghoffer, "International Citizens' Tribunals on Human Rights" in Adam Jones (ed) *Genocide, War Crimes and the West: History and Complicity* (London and New York: Zed Books, 2004) 355.
- ¹¹ Christian Appy, *Vietnam: The Definitive Oral History Told from all Sides*, (London: Random House, 2006) 242.
- ¹² Ramsey Clark, "Will the United Nations Act?", 26 January 2000. Retrieved 21 December 2011 from <http://www.progress.org/iraq07.htm>.
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- ¹⁶ Raphaël Lemkin, *Axis Rule in Occupied Europe: Laws of Occupation - Analysis of Government - Proposals for Redress* (Washington, D.C.: Carnegie Endowment for International Peace, 1944).
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- ¹⁹ Michael Spagat, "Ethical and Data-integrity Problems in the Second *Lancet* Survey of Mortality in Iraq", *Defence and Peace Economics*, 21, 1 (2006): 1-41.
- ²⁰ Christine Tapp, Frederick M Burkle, Kumanan Wilson, Tim Takaro, Gordon H Guyatt, Hani Amad and Edward J Mill, "Iraq War Mortality Estimates: A systematic review", *Conflict and Health*, 2, 1 (2008).
- ²¹ Reuters, "WikiLeaks says logs show 15,000 more Iraq deaths", *International Herald Tribune* (23 October 2010): Retrieved 27 October 2010 from <http://tribune.com.pk/story/66654/wikileaks-says-logs-show-15000-more-iraq-deaths/>.
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- ²⁵ Stjepan Gabriel Meštrović, *Rules of engagement?: a social anatomy of an American war crime – Operation Iron Triangle, Iraq* (New York: Algora, 2008) 171.
- ²⁶ *Ibid*, p 103.
- ²⁷ Michael Mandel, *How America Gets Away with Murder: Illegal Wars, Collateral Damage and Crimes Against Humanity* (London, Ann Arbor: Pluto Press, 2004) 154.
- ²⁸ *Ibid*, 90.
- ²⁹ Herman and Peterson, *The Politics Of Genocide*, 21. It should be noted that this is normal practice for these organisations, applying equally to Amnesty International's report on the 1990 invasion and occupation of Kuwait by Iraq. The point is, however, that Amnesty's failure to condemn Iraqi aggression had precisely no impact in terms of exculpation of Iraqi crimes.
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- ³¹ Herman and Chomsky, *Manufacturing Consent*, xxi.
- ³² For instance see: David Scheffer, "Genocide and Atrocity Crimes." *Genocide Studies and Prevention* 1, 3 (December 2006), 229–50.

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- 34 Samantha Power, "*A Problem from Hell*": *America and the Age of Genocide*, (New York: Basic Books, 2002) 334-5.
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- 37 Petrie, "The secular word HOLOCAUST", 31.
- 38 Stein, "Conceptions and terms", 171.
- 39 Christopher Powell, "What do genocides kill? A relational conception of genocide," *Journal of Genocide Research* 9, 3 (2007): 528.
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- 44 Huttenbach, "From the Editor: Lemkin Redux: in quest of a word", 443–445.
- 45 Raphaël Lemkin, "Genocide", *American Scholar*, 15, 2 (1946): 227.
- 46 Lemkin, "Genocide - A Modern Crime", 43.
- 47 Levene, *Genocide in the Age of the Nation-State: Volume I*, 46, 9, 47, 50, 51, 47-9.
- 48 Lemkin, "Genocide - A Modern Crime", 40; *Axis Rule*, 81-2.
- 49 Levene, *Genocide in the Age of the Nation-State: Volume I*, p 56.
- 50 *Axis Rule*, 81, 81-2, 205.
- 51 Levene, *Genocide in the Age of the Nation-State: Volume II*, p 215.
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- 54 Chalk and Jonassohn, *The History and Sociology of Genocide*, 23.
- 55 Strauss, "Contested meanings and conflicting imperatives", 356-8.
- 56 Strauss, "Contested meanings and conflicting imperatives", 358. Harff and Gurr's typology is from 1988.
- 57 *Ibid*, 353.
- 58 Levene, *Genocide in the Age of the Nation-State: Volume I*, 41.
- 59 *Ibid*, 54. He repeats the charge of myopia on p 170.
- 60 *Ibid*, 178-82.
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- 71 Grossman, *On Killing*, 209-10.
- 72 Fletcher, "Turning interahamwe", p 42.
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- 74 Levene, *Genocide in the Age of the Nation-State: Volume I*, 110, 160.

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- ⁷⁶ Mark Levene, *Genocide in the Age of the Nation-State: Volume I*, 92-4.
- ⁷⁷ Adam Jones, *Genocide: A Comprehensive Introduction* (London: Routledge, 2006) 190-2.
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- ⁷⁹ Jones, *Genocide*, 22-4.
- ⁸⁰ Eduardo Galeano, *The Open Veins of Latin America (1973)* (New York: Monthly Review Press, 1997) 39.
- ⁸¹ Levene, *Genocide in the Age of the Nation-State: Volume II*, 13.
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- ⁸³ Levene, *Genocide in the Age of the Nation-State: Volume II*, 13.
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- ⁸⁸ Stein, "Conceptions and terms", 192-3.
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- ⁹⁰ David Moshman, "Conceptual constraints on thinking about genocide," *Journal of Genocide Research* 3, 3 (2001) 439-40.
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- ⁹⁶ Chalk and Jonassohn, *The History and Sociology of Genocide*, 10.
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- ⁹⁸ Ward Churchill, *A Little Matter of Genocide* (San Francisco: City Lights, 1997) p 47.
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- ¹⁰¹ Powell, "What do genocides kill?", 529.
- ¹⁰² Jones, *Genocide*, 352-4.