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## Toward a Generic Definition of Genocide

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### Introduction

The definition of genocide adopted in law and by professional social scientists must match the realities of life, so that there should be no situation in which thousands and even millions of defenseless victims of mass murder do not "qualify" as victims of genocide. Insofar as there is ever a major discrepancy between the reality of masses of dead people and our legal-scholarly definitions, it is the latter which must yield and change.

The definition of genocide must also be consistent with the everyday usage of the word by reasonable people when they stand and face a mass of murdered people and naturally apply to such an event the only word there is in the human language for such occurrences. Thus, the mass murders of twenty million Soviet citizens by Stalin,<sup>1</sup> the massacre of one hundred thousand or more of the communist opposition by Indonesia, the murders of one to two million Cambodians by the Khmer Rouge are all instances of clear-cut genocide. And instances of mass murders of a lesser magnitude by governments—five thousand Tamils in Sri Lanka and five thousand students in Tiananmen Square in China, for example—are also, in common sense and understanding, genocidal events, although there may be a consensus to characterize these numerically smaller events as *genocidal massacres*, as Leo Kuper,<sup>2</sup> the doyen of genocide scholars, has proposed.

This chapter proposes a generic definition of genocide, which at the same time is supplemented by a series of subcategories of different types of genocide. I shall also propose at least two new categories of genocide: first, accomplices to genocide, and second, genocide as a result of ecological destruction and abuse. I shall introduce these two

proposed concepts first, and then we shall meet them once again in the context of their places in the schema of a generic definition of genocide.

### Accomplices to Genocide

The concept of accomplices to murder is well established in criminal law; it refers to a person who, knowingly and willfully assists, prepares, or furnishes a murderer with the weapon with which he commits murder. But there has been no corresponding concept for those who assist, prepare, or furnish the mass murderers of the world with the means to exterminate huge numbers of people. Included in this definition are the scientists who research and design the mega-weapons, the engineers who plan and oversee their production, the businessmen who trade the murder-weapon systems, the barons of finance who profit from enabling the transactions to take place, the government bureaucrats who knowingly or tacitly license or allow the illegal shipments of materials needed to create mega-weapons, as well as the institutions, companies, and various governmental groups which make the mass murders possible. Needless to say, the events leading up to the Gulf War (1991) are being revealed to have included hundreds of major crimes of accomplices to genocide.<sup>3</sup>

Under the present proposal, international laws and laws adopted by national governments would provide a base not only for prosecuting accomplices for violating or conspiring to evade laws about trade licenses and illegal sales of weaponry, but for prosecuting them under laws of genocide as full-blown criminals who are to be held accountable for degrees of responsibility for the actual deaths of victims as a consequence of their actions.

### Genocide as a Result of Ecological Destruction and Abuse

Destruction of any number of facets of the ecosystem in which man exists can cause the deaths of countless human beings: thus, nuclear radiation not only as a result of purposeful war but as a result of malevolent or haphazard indifference to safety requirements in nuclear installations has affected hundreds of thousands of people and can reach more calamitous proportions in the future. Poisoning the water supplies of soldiers has long been a strategy of war, but larger-scale poisoning of reservoirs and of waterways, seas and oceans, whether as a result of the haphazard handling of industrial pollutants or of the purposeful poisoning of the waters, can also wipe out innumerable lives. The list of chemical, biological, and physical hazards that can



be unleashed on human beings unwittingly-carelessly or wittingly-malevolently is endless. As the human capacity to harness forces of nature increases enormously, the possibilities of man becoming Destroyer of Nature correspondingly increase.

Again it is clear that recent events in the Gulf include the demonstrated readiness of a brutal dictator-led government to destroy and poison major components of the *écosystème*, and, although at this writing, the actual extent of the loss of life which has and will result from these measures is not clear, the fact that new vistas of ecocidal genocide increasingly loom before the human race cannot be minimized.

Under the present proposal, international laws and parallel laws adopted by national governments would provide a basis for prosecuting those who destroy and abuse the ecology not only for the destruction of natural resources and properties, but under laws of genocide as full-blown criminals who are to be held accountable for degrees of responsibility for the actual deaths of victims as a consequence of their actions.

Before we develop the classification of genocides further, I propose that we develop some perspective about the kinds of establishments that bring to bear political pressures in our field of study, each of which has an interest in establishing a given definition of genocide to suit its political purposes.

### Political Interests in the Definition of Genocide

Unfortunately, the process of selecting and developing definitions that are more correct than incorrect is not only a function of the good sense and excellence of scholars, nor is it only a function of pure scientific inquiry, experimentation, and demonstration. Even in a society where the scientific method is the valued and prevailing mode, definitions are subject to enormous ideological and political pressures from the societal establishments within which thinkers do their work.

Throughout the history of ideas, there are endless illustrations of how certain definitions were ruled out from the outset because they were intolerable to the ruling establishment, while other definitions were forced upon the people of their times despite the damage they did to the accurate perception of reality. The legions of thinkers who have suffered at the hands of the censors, interdictors, and inquisitors throughout history is replete with the greatest and finest. Many thousands of lesser scholars and inquirers have also paid in excommunication, exile, and on guillotines and gallows for the ideas they advanced to their hostile societies.

In those societal contexts that are not quite so severe as to take the actual heads of the thinkers, there are nonetheless enormous political pressures that are brought to bear to disallow errant ideas. Even if the originators of the ideas are not subjected to grievous bodily harm, forced into exile, or personally barred, banned, and excommunicated, they are frequently unable to find proper settings for their work or outlets for their communication of ideas. The ideas themselves are subjected to outright censorship in totalitarian societies, but even in democratic societies, the power of ruling elites and the self-interest of conformists and sycophants lead *de facto* to a banning of full-scale inquiry and the development of ideas that are not acceptable to those in power in the culture. In the medical sciences and professions, for example, there are noxious surgical procedures, such as the unnecessary hysterectomies of millions of women that continue to this day in many areas of the United States, or the mind-destroying psychosurgeries, such as the lobotomies that were forced on an enormous number of psychiatric patients over the course of two decades if not more in the last half of this century. Many medical policies are linked to outright battles against any alternatives that are promoted by nonmedical practitioners, for example, the promotion of radical orthopedic surgery in lieu of chiropractic, osteopathy, and other nonmedical procedures including the Alexander Method and the Feldenkreis Method; wars of ophthalmologists to banish optometrists and their nonsurgical corrective procedures; or the power tactics of psychiatrists against psychologists and social workers whose client interventions are generally less intrusive. In all the sciences, McCarthy-type loyalty rituals have plagued the lives and careers of many scientists in democracies as well as in dictator-run governments.

Our goal of correctly defining genocide in order to advance further research and legislation to prevent genocide and to punish its perpetrators is no less subject to the political and ideological self-interest groups that seek to define genocide according to their ideologies and their quest for power.<sup>4</sup>

Those familiar with the history of genocide hardly require an elaborate introduction to the many outright revisionists who seek to rule out the truth of the Holocaust in order to maintain their virulent anti-Semitic purposes; nor do they need to be instructed about the brutal use of political power by Turkey, a seemingly modern state (a NATO member in good standing and recently a welcome ally of the U.S. against Saddam Hussein), which has committed millions of dollars and first-line political resources to insisting that the Armenian Genocide be written out of the history books. These revisionist conceptions are grotesque to any normal thinking person, but they are sponsored by



powerful people and groups and cannot simply be dismissed as irrelevant, despite the fact that they are so patently distorted as to be far out of line with the simplest requirements of scholarship.

Along with these dangerous if farcical denials of known realities, there are other insidious types of political pressures on the definition of genocide that issue from entirely respectable intellectual circles. The subject of genocide draws intense political fire over which events of mass murder are to be considered bona fide genocides. The following are four of the most frequent types of political pressures that are brought to bear on the act of defining genocide:

1. Pressures to define genocide so that certain events will be excluded and not generate legal responsibility to the perpetrator country or individual perpetrators who executed the event.
2. Pressures to exclude from the definition of genocide certain events for purposes of realpolitik, such as interests in maintaining diplomatic or economic ties with a genocidal government.
3. Pressures to define genocide so that a given event of mass murder emerges as more "important" than another, including especially pressures to claim for a given genocide the crown of "ultimate importance." A closely related argument has to do with the assignment of relative degrees of evil to different events of mass murder, so that a given event is taken to represent the greater, incarnate evil in comparison to other events of genocide, which are treated somewhat as more usual events of massacre and slaughter in human history.
4. Blatant denials and revisionism of known historical events of mass murder.

1. *Pressures to define genocide so that certain events will be excluded and not generate legal responsibility to the perpetrator country or individual perpetrators who executed the event.* The oldest tactic for resisting a full and open definition of murder is that he who commits a murder, or who plans to, or who is an accomplice to the commission of a murder by others, will seek to minimize, attenuate, and confound any definition that will put the murderer or the accomplice in a legally culpable position. It has always struck me as bizarre about justice systems in democracies that the goal of many attorneys is to play a game in which, irrespective of the truth, the attorney instructs even the guilty to deny responsibility totally, and if there is too much evidence to get away with that, the legal practitioner nonetheless seeks to reduce the severity of the definition of murder from first to second degree, to manslaughter, to whatever categories of lesser responsibility.

When it comes to perpetrators of genocide, the game, sadly, is no different. Fortunately, in most cases when the perpetrator takes as his defense the claim that he was only following orders of superiors, the courts have ruled that there can be no shirking of one's responsibility not to accept orders to commit war crimes and genocide.<sup>5</sup> Unfortunately, in practice, relatively few perpetrators of genocide are brought to justice. Moreover, even in the greatest democracies in the world, perpetrators have been known to receive preferential treatment even after conviction (as in the case of Lieutenant Calley, convicted for the massacre at My Lai, whose sentence was reduced thereafter by President Nixon), and have been strangely and secretly supported and rewarded with high and comfortable positions after release from jail (for example, several Israeli soldiers convicted for massacring innocent Arabs in 1956 are reported to have been assisted by no less an official than Prime Minister David Ben-Gurion following their release from relatively brief jail sentences.<sup>6</sup> As for nations, legal procedures and sanctions against perpetrator nations have never been taken. David Hawk and his associates at the Cambodia Documentation Commission made herculean efforts in recent years to bring legal charges under the UN Genocide Convention against Cambodia, but no government was found willing to bring the charges before the World Court.<sup>7</sup>

There are especially strong pressures by many countries to bar definitions of any military actions as genocide. The question of whether events of mass deaths of civilians, such as massive or nuclear bombing in the course of wars, are to qualify as genocide or are to be excluded from the universe of genocide, is understandably controversial. The heart that cries out for peace on earth must in principle oppose wars; and straightforward logic tells us that wars are a prime precondition of many genocides, hence we would want to do everything to avoid them. Realistically, however, wars are a fact of human society, and the status of the present development of human civilization may preclude an encompassing idealistic definition of all mass deaths caused by wars as genocide. Most scholars of genocide reluctantly back off from defining war and the massive killing that goes on during war within the universe of genocide. As a result, a number of forms of massive killings of civilians in wartime—such as the saturation bombings of Dresden in the course of what most of us have no doubt was a just war against evil incarnate, and the atomic bombings of Hiroshima and Nagasaki in a war against classic military imperialism and cruelty—are treated gingerly and suspiciously by many otherwise well-meaning scholars of genocide. Even those of us who are quite convinced that those mass deaths of civilians in unjust wars which are not objectively in the service of self-defense must be enjoined as criminal by the international sys-



tem are aware that the problems of objectively defining self-defense are so great that it too will be a difficult task at this point in the history of ideas.<sup>8</sup>

2. *Pressures to exclude from the definition of genocide certain events for purposes of realpolitik.* Every definition of genocide carries with it policy implications at the levels of international law and international relations as well as for political and economic interests; such implications are even experienced at the level of those who write the historical and moral record of a given people and government. In an ideal universe, the definition of genocide should, in the view of many of us, justify interventions by international legal and political systems, certainly international relief and disaster operations on behalf of the victims, and also humanitarian-based military interventions on the part of neighboring countries and international peacekeeping forces which would employ military force to stop the genociding nation in its tracks.<sup>9</sup> Today's battles over the proper intellectual and political definition of genocide will someday have very real implications. The spokesmen of darkness in human affairs—and there are many—who openly espouse genocidal policies, and also the many who more subtly seek to protect a nation's "right to commit genocide" will seek to limit definitions of genocide that encroach on their ability to conduct their affairs of state they wish.<sup>10</sup>

If we consider the present definition of genocide under the UN Convention, the most obvious exclusions from the universe of genocide are political mass killings. Kuper has described how in the original deliberations on the United Nations Convention on Genocide, the big powers conspired and supported one another in an effort to remove from the basic definition events in which governments take action against their political opponents. Even a case such as the U.S.S.R.'s murder of an estimated twenty million (see Note 1) of its own citizens remained unknown to the majority of the free world for the longest time and was not labeled as genocide. It remained for scholars to slowly raise questions about such events and to seek ways to prove that even under the present legal structure some of the victims constitute a definable ethnic minority group.<sup>11</sup> Therefore the events constitute genocide under the present UN Convention and should not be relegated to a government's conduct of its "internal affairs." So too, in connection with the Cambodian genocide (which a UN Commission labeled "auto-genocide"), scholars have resorted to the proof that there were at least two clearly defined target groups of the Khmer Rouge, the Buddhist priesthood and the Cham people, and that therefore a bona fide definition of genocide applied.<sup>12</sup>

One implication of such strained proofs remains that planned killing

of even millions of one's political opponents would not constitute genocide if one were careful that they were all of different faiths or different ethnic backgrounds.<sup>13</sup> In other words, our human civilization has reached the point in its ethical evolution at which the murder of a single person is murder most foul, but there are conditions under which the murder of millions of people can still fall into a definitional void. We are reminded of Raphael Lemkin's impassioned protest: "Why is the killing of a million a lesser crime than the killing of a single individual?"<sup>14</sup> What Lemkin saw as bizarre in human society was the fact that collective murder of a single target people, the genocide he recognized most familiarly, went unacknowledged, while the murder of a single person generally aroused all the natural emotional concerns one would expect, as well as the proper reactions of the justice system. What we are now adding to Lemkin's cry is the concern that mass killings, on an enormous scale, can fail to qualify as genocide under the present definition if the victims are either a heterogeneous group or native citizens of the country that is destroying them. How absurd, and ugly. It is not surprising that, increasingly, voices are calling for the expansion of the definition of genocide to include all political killings and all mass murders of one's own people (see in particular the proposals by the authoritative Whitaker Commission of the United Nations in 1985).<sup>15</sup> Unfortunately, attempts to exclude cases of mass murder from the definition of genocide for purposes of protecting one's policy interests is, sadly and outrageously, a matter of operational government policy even on the part of the great democracies of our human civilization. Thus, until the summer of 1990 when there were increasing signs of a danger (that has still not passed) that the genocidal Khmer Rouge might again take control of Cambodia,<sup>16</sup> the United States had carefully sustained its political and also economic recognition of the Khmer Rouge as the ruling government of Cambodia in order to further its avowed opposition to the Vietnamese Communist government and its sponsored government in Cambodia, which has vied with the Khmer Rouge and others for control of the country.

Decent people around the world were not only concerned but outraged at the United States' initial failure to protect millions of Kurdish people in Iraq from mass deaths, either at the hands of Saddam Hussein or in the frenzied mass flight from Saddam Hussein's troops, a situation of genocide which the Bush administration unbelievably labeled an "internal affair" of the Iraqis.<sup>17</sup>

Similarly, one American administration after another has gone along to some extent with the exclusion of the Armenian Genocide from the universe of the definition of genocide, lest NATO-ally Turkey be of-



fended. Every few years we are privy to ludicrous and obscene scenes of would-be and actual American presidential candidates promising their support to the Armenian community for its right to mark and remember the genocide of its people; but on assuming office, the newly elected president bows to prevailing State Department policy and its rhetoric, which refers to the murder of the Armenians as an "alleged genocide" and emphasizes that the historical record of the time is a matter of some "controversy."<sup>18</sup>

3. *Pressures to define genocide so that a given event of mass murder emerges as more "important" than another.* I never fault or argue with a survivor's claim that a given genocide was the ultimate evil of all, nor do I find fault with collective expressions of such demands for uniqueness of a given genocide when they spring from the same natural folk-outpouring of grief, disbelief, horror, and rage at the tragedy and infamy done to one's people. However, when possible, and certainly in scholarly forums, I do caution that the phenomenological belief that the genocide committed against one's people was the worst crime ever perpetrated in human history is a natural response, and that this legitimate, subjective reaction itself does not assign objective credence to the position.

I object very strongly to the efforts to name the genocide of any one people as the single, ultimate event, or as the most important event against which all other tragedies of genocidal mass deaths are to be tested and found wanting. Thus, with regard to the Holocaust of my own people, I do believe that the configuration of the events of the Holocaust, including the totality of the persecution, the unbearably long trail of dehumanization and unspeakable tortures suffered by the victims, the modern organization and scientific resources committed to the mass extermination, the active participation and complicity of every level of society, including the public institutions of an ostensibly civilized people, have afforded the Holocaust a timeless meaning and a deserved position as the archetypal event of mass murder in human history. Nonetheless, it is by no means the only event of organized mass murder, and the deadly outcomes for its victims are no more deadly and therefore no more tragic than the outcomes for the victims of other peoples' genocides. It is also by no means the last word on how human beings at this stage of evolution produce mass deaths on this planet. I strongly oppose any efforts to place the Holocaust beyond the ranges of meanings that attend the destruction of other peoples, and I object to any implications that we should be less sensitive or outraged at the murders of other peoples (see Kuper's criticism of "the alienation of the unique").<sup>19</sup>

4. *Blatant denials and revisionism of known historical events of mass murder.* Finally, one must refer again to those outrageous but nonetheless prevalent attempts by groups and governments to deny, censor, revise, and destroy the records of human history about known genocides. Anti-Semitic groups of all sorts, including political enemies of Israel who are also entirely comfortable exploiting anti-Semitism in their battles against Israel, claim that there was no Holocaust, that there were no gas chambers, that the number of more than six million Jewish victims is grossly exaggerated, that Hitler never gave an order to kill the Jews, and that if something happened to the Jews on whatever smaller scale, it was at the behest of low-level commanders.<sup>20</sup>

The most insidious revisionists are those who don't deny that people were killed but who seek cleverly to deny that the given historical event fulfills the demanding criteria that they ostensibly seek to ensure in the definition of genocide. It is abominable to see pseudo-intellectual products in ostensibly academic journals and books by bona fide, tenured academicians of prestigious institutions of scholarship (for example, Arthur Butz<sup>21</sup>) who rewrite the facts and figures of known mass deaths in order to disqualify an event of genocide.

Another insidious variant of revisionism is seen in recent publications by German historians, prominent among them Professor Ernest Nolte, who seek to diminish the significance of the events of the Holocaust, and in effect to diminish the significance of the underlying category to which it belongs, by advancing the observations that after all such events of mass murder have always occurred in history, thus the Holocaust should not be treated as being of unusual significance and certainly not as a historically definitive event. To play a sophisticated game of revisionism properly, one must, of course, add a caveat that one's intention is not at all to dismiss the significance of any genocide, it is only to put it in a proper perspective; but the underlying meaning of such arguments is that the event of genocide need not be an object of civilization's great concerns. The real purpose of revisionism, in its various propagandist forms, is always to re-create a climate of moral support and approval of genocide past, present, and future.

Even democratic governments such as the United States and Israel—which in addition to being a democracy, is, on another level, the representative of a victimized people who should certainly know better—enter into full-blown conspiracies of denial and revisionism. As previously mentioned, the U.S. State Department has made its share of references to the Armenian Genocide as an "alleged genocide" and has opposed even commemorative events about the Armenian Genocide because of its ongoing political interest in relations with the



arch-revisionist Turks who to this day deny that there ever was an Armenian Genocide at their hands. It is a sad and obscene commentary on the cultural history of our times that the executive branch of the United States government has several times devoted its full energies to diverting the Congress from passing legislation that would have created a ceremonial day of remembrance for the victims of the Armenian Genocide (to join the literally hundreds of other days of commemoration that have been mandated by congressional legislation)—a day that was, as defined by its Armenian sponsors, also to have commemorated the victims of all genocides in history. It is by now well known that Israel, the land of Holocaust memorial—which protests, as it should, every vestige of revisionism of the Holocaust—conspires to suppress the story of the Armenian Genocide, whether in the massive government efforts to stop the International Conference on the Holocaust and Genocide in 1982 (which has become a cause célèbre in the history of academic freedom and a critical example of governmental suppression of information about genocide)<sup>22</sup> or more recently in assisting Turkish diplomats to lobby the American Congress against the Armenian Genocide bill.<sup>23</sup>

In all these instances, the battle is not only about history and the authenticity of the records of past events in our civilization, it is about the extent to which we today hold our governments responsible for their actions. For as long as there is normative support for the realpolitik of government revisionism, we will see the facts of current history erased within days after massacres by governments everywhere, in Tiananmen Square, Sri Lanka, Kurdish villages in Iraq, and elsewhere.

### Toward a Generic Definition of Genocide

What is needed, I would argue, is a generic definition of genocide that does not exclude or commit to indifference any case of mass murder of any human beings, of whatever racial, national, ethnic, biological, cultural, religious, and political definitions, or of totally mixed groupings of any and all of the above.

I propose that whenever large numbers of unarmed human beings are put to death at the hands of their fellow human beings, we are talking about *genocide*. Shortly after the adoption of the UN Convention on Genocide, Dutch jurist Pieter Drost wrote:

A convention on genocide cannot effectively contribute to the protection of certain described minorities when it is limited to particular defined groups. . . . It serves no purpose to restrict international legal protection to some groups: firstly, because the protected members always belong at the same time to other unprotected groups.<sup>24</sup>

In 1985 the authoritative Whitaker Commission of the UN, referred to earlier, called for decisive amendment of the Convention to include all political mass murders. Some years ago, I proposed a *humanistic definition* of genocide, namely, "the wanton murder of a group of human beings on the basis of any identity whatsoever that they share—national, ethnic, religious, political, geographical, ideological."<sup>25</sup> Similarly, John Thompson has written, "There seems to be no adequate conceptual criteria for distinguishing between groups whose destruction constitutes genocide and groups whose destruction does not."<sup>26</sup>

With the regrettable but necessary exception of actual military combat, I call on fellow scholars to be faithful to the commonsense meanings of loss of human lives so that we do not exclude in arbitrary, cynical, or intellectual elitist ways the deaths of *any* group of our fellow human beings from our definitions of genocide. I believe there is no task of greater importance than that of committing ourselves to the protection of all human lives.<sup>27</sup>

In Table 2, I have assembled a proposed matrix for a new, encompassing definition of genocide.

I would argue that a *generic definition of genocide* be as follows:

Genocide in the generic sense is the mass killing of substantial numbers of human beings, when not in the course of military action against the military forces of an avowed enemy, under conditions of the essential defenselessness and helplessness of the victims.

Raphael Lemkin correctly underscored the overriding motivation of many mass killings to exterminate a given people, and therefore wisely called to our attention that the murder of a people's culture or elimination of their rights and abilities to maintain biological continuity are also forms of destruction of the species to which we dare not be indifferent. First and foremost, however, we must have a language that clearly defines as genocide any actual *biological* murder of masses of people, even if the people are not all of the same ethnicity, religion, or race.

At the same time, since there are also a great many important reasons to distinguish between different kinds of genocide, having defined genocide in its generic sense, we also need to create a series of definitions of categories of genocide. Each event of genocide is to be classified into the one or more subcategories for which it qualifies. It is to be expected that, over the course of time, there will always emerge new categories, as the complexity of life and reality unfold, for example, in our time we may witness the creation of a category to define accomplices to genocide who supply deadly weapons of mass destruction to those who commit genocide, and some day in the future perhaps of a



TABLE 2. A Proposed Definitional Matrix for Crimes of Genocide.

A. *Generic Definition of Genocide*

Genocide in generic sense is the mass killing of substantial numbers of human beings, when not in the course of military action against the military forces of an avowed enemy, under conditions of the essential defenselessness and helplessness of the victims.

1. *Genocidal Massacre*

Mass killing as defined above in the generic definition of genocide but in which the mass murder is on a smaller scale, that is, smaller numbers of human beings are killed.

2. *Intentional Genocide*

Genocide on the basis of an explicit intention to destroy a specific targeted victim group (ethnic/religious/racial/national/political/biological/or other), in whole or in substantial part.

a. *Specific Intentional Genocide* refers to intentional genocide against a specific victim group.

b. *Multiple Intentional Genocide* refers to intentional genocide against more than one specific victim group at the same time or in closely related or contiguous actions.

c. *Omnicide* refers to simultaneous intentional genocide against numerous races, nations, religions, etc.

3. *Genocide in the Course of Colonization or Consolidation of Power*

Genocide that is undertaken or even allowed in the course of or incidental to the purposes of achieving a goal of colonization or development of a territory belonging to an indigenous people, or any other consolidation of political or economic power through mass killing of those perceived to be standing in the way.

4. *Genocide in the Course of Aggressive ("Unjust") War*

Genocide that is undertaken or even allowed in the course of military action by a known aggressive power, e.g., Germany and Japan in World War II, for the purpose of or incidental to a goal of aggressive war, such as massive destruction of civilian centers in order to vanquish an enemy in war.

5. *War Crimes Against Humanity*

Crimes committed in the course of military actions against military targets, or in treatment of war prisoners, or in occupation policies against civilian populations which involve overuse of force or cruel and inhuman treatment and which result in unnecessary mass suffering or death.

6. *Genocide as a Result of Ecological Destruction and Abuse*

Genocide that takes place as a result of criminal destruction or abuse of the environment, or negligent failure to protect against known ecological and environmental hazards, such as accidents involving radiation and waste from nuclear installations, uncontrolled smog, or poisonous air from industrial pollution, pollution of water supplies, etc.

TABLE 2. *Continued*B. *Accomplices to Genocide*

Persons, institutions, companies, or governments who knowingly or negligently assist individuals, organizations, or governments who are known murderers or potential murderers to gain access to mega-weapons of destruction, or otherwise to organize and execute a plan of mass murders, are to be held responsible as accomplices to the defined crimes of genocide or war crimes.

## C. "Cultural Genocide"

1. *Ethnocide*

Intentional destruction of the culture of another people, not necessarily including destruction of actual lives (included in original UN definition of genocide but, in present proposed definitions, *ethnocide* is not subsumed under *genocide*).

a. *Linguicide*

Forbidding the use of or other intentional destruction of the language of another people—a specific dimension of *ethnocide*.

category for the destruction of planets (which I have elsewhere called *planetocide*, *partial planeticide*, as well as *attempted planeticide*).<sup>28</sup>

## Genocidal Massacre

Events of mass murder that are on a smaller scale than mass events may be defined, as Leo Kuper<sup>29</sup> originally proposed, under a category of "genocidal massacre." I would define *genocidal massacre* as follows:

Mass killing as defined above in the generic definition of genocide, but in which the mass murder is on a smaller scale, that is, smaller numbers of human beings are killed.

With this category we are now equipped to describe many pogroms, mass executions, and mass murders that are, intrinsically, no less vicious and no less tragically final for the victims, but in which the numbers of dead are small in comparison to the events of genocide and of which even the well-meaning people who do not approve conceptually of "numbers games" have found it difficult to speak of as genocide. Thus, we would apply the specific concept of genocidal massacre to the government of Sri Lanka's rounding up some five thousand Tamils over a weekend and executing them;<sup>30</sup> and to the government of China's mowing down an estimated similar number in Tiananmen Square.<sup>31</sup>



### Intentional Genocide

The category for which there is generally the greatest interest is that of genocides that are executed on the basis of an ideological and operational commitment to destroy a specific targeted people. In a sense, this has been the most "coveted" category, that is, the ultimate, pure form of genocide, in which the premeditated, malevolent intention and the totality of operational commitment to destroy a specific people generate a comprehensive evil plan.

If there were to be only one ultimate, seemingly pure form of genocide, this would be its definition; but this pure-form definition, sadly, has also set off competitions between different events of mass extermination, where the debate as to which would be admitted to the "royal club" of "true genocide" has taken precedence. In some cases, there developed claims that only the Holocaust qualified as a true genocide, to which no other mass murder could be compared. I refer once again to Leo Kuper's recent criticism of demands for exclusivity and a dubious categorization of "uniqueness" for the Holocaust at the expense of common sensitivity and respect for the plights of many other peoples who, although they were not led to slaughter in the Holocaust's terrifying scenarios of protracted persecution, torture, and organized factories of death, were no less wantonly slaughtered.

As noted earlier, the present proposal is for a definitional matrix that combines a generic definition of genocide and specific subcategories. Such a definitional matrix makes it possible, first, to recognize all events of mass murder as genocide, and second, to assign each event to a further definitional category in which the specific characteristics of each event are recognized and groups of phenomena that share common structural features can be subjected to analyses of their characteristic sequences and dynamics and to comparative analyses with other types of genocide.

I would define *intentional genocide* as follows:

Genocide on the basis of an explicit intention to destroy a specific targeted victim group (ethnic/religious/racial/national/political/biological/or other), in whole or in substantial part.

Under the category of intentional genocide, I would further define *specific intentional genocide* as intentional genocide against a specific victim group; *multiple intentional genocide* as intentional genocide against more than one specific victim group at the same time or in closely related or contiguous actions; and *omnicide* as simultaneous intentional genocide against numerous races, nations, religions, and so on.<sup>32</sup>

The heartbreaking events of the Armenian Genocide, the Holocaust

of the Jews, the Holocaust of the Gypsies, the Holocaust of homosexuals, Sukarno's massacre of the Communists in Indonesia, the tragic gassing of the Kurds in recent years by Iraq, and many other events qualify in the category of intentional genocide. Note that within this communality, there are still many further distinctions to be made in the course of the analyses of the different incidents, involving, for example, numbers of victims, totality of intention, commitment to implementation, and many more; and there is every reason to establish the specific ways in which a given genocide was unique, but without in the process downplaying the recognition of other events as genocide.

### Genocide in the Course of Colonization or Consolidation of Power

Genocides in the course of colonization have taken the lives of countless indigenous peoples. Such genocidal colonization of indigenous peoples continues throughout the world.<sup>33</sup>

Using this category in combination with the earlier category of genocidal massacre to describe, as has Arens,<sup>34</sup> the mass killing of the Ache Indians, we will finally solve the difficult conceptual problems created by that admirable and electrifying report. Arens described the murder of perhaps a thousand people, and yet adopted the powerful term *genocide* without further subspecification or definition. An uncomfortable intellectual situation thus developed whereby the cruel killings of a quantitatively small indigenous people was being defined in liberal circles as *genocide*, while some years later the murder of millions of Cambodians was excluded from the field of inquiry of genocide on the grounds of its being an internal affair of the Cambodian government. The present proposed definitional system would confirm from the outset, without hesitation, that both events were indeed genocide under a generic definition of mass killings of defenseless human beings; the specific type of genocide then is assigned to further categories, both as to the type of genocide and as to its quantitative aspects.

There are also numerous situations in which governments seek to consolidate their power through genocidal campaigns against constituent minority ethnicities or against political opponents. At this point at least, I choose to combine these situations with events of genocide in the course of colonization in a single conceptual category. These too are first of all *prima facie* cases of genocide in the generic sense, since masses of helpless human beings are exterminated. Thus, it will no longer be necessary to struggle laboriously to justify including Stalin's record of murdering perhaps twenty million victims as genocide (again, see note 1, below). I believe one reason that, incredibly, the Western world for the longest time acted as if it did not know of this



monstrous record was that as long as the crime had no name and did not qualify in the same category of genocide that included the Holocaust's six million Jewish victims, there was no convenient conceptual-experiential basis for people to organize the information. (I would note that the same is true for the other estimated six million non-Jewish victims of Nazi Germany,<sup>35</sup> including those whom we identified earlier as victims of specific intentional genocide [e.g., Gypsies and homosexuals] and including the many millions of civilians of all nationalities in the countries invaded by Nazi Germany, whom we will identify shortly in the next definitional category as victims of genocide in the course of war.) Under the existing limited definition of genocide, it was necessary for scholars, such as those previously referred to, to argue that because there were instances in which specific ethnicities were eliminated by Stalin, it was legitimate to call these events genocide, and it was necessary, also as noted earlier, to resort to the same intellectual tour de force to prove that the Pol Pot regime committed genocide in Cambodia. But it is absurd, as well as intellectually corrupt, for us to resort to such devices to allow us to justify calling clear cases of mass murder by the name genocide.

I propose the following definition of *genocide in the course of colonization or consolidation of power*:

Genocide that is undertaken or even allowed in the course of or incidental to the purposes of achieving a goal of colonization or development of a territory belonging to an indigenous people, or any other consolidation of political or economic power through mass killing of those perceived to be standing in the way.

#### Genocide in the Course of Aggressive ("Unjust") War

Above and beyond the fact that genocides of all categories take place frequently under conditions of war, there are mass murders of defenseless noncombatant civilians in the course of war that are an important definitional focus in their own right. The number of civilians who die in the course of wars increases with the growth of destructive mega-weapons. Anatol Rapoport observes that since 1945 "the proportion of civilian deaths in war has ranged from 65% to 90%," and that "these killings, being indiscriminate, could well be subsumed under genocide" unless "only deliberate selective extermination of identifiable groups is subsumed under genocides."<sup>36</sup>

There are two legal categories\* for serious crimes against human life in the course of conduct of war: *war crimes* or crimes committed

\*I am indebted to Professor Irwin Cutler for his reading of an earlier draft of this chapter and discussion of these legal concepts.

primarily against combatants but also against noncombatants, in the course of military actions, and *crimes against humanity* or crimes committed against civilians in particular.

Whether mass deaths of civilians in the course of war should also qualify as a form of genocide is a complex subject that necessarily raises many serious legal, political, and philosophical questions regarding uses of mega-weapons and the large-scale destruction of civilian populations during wartime. The issues are at their sharpest focus when one considers whether massive civilian deaths are to be understood as (1) tragically inadvertent and necessary in the course of intrinsically "just wars" of self-defense against an acknowledged mass murdering power, such as Nazi Germany, and against a war-initiating power intent on aggressive occupation of another people's lands, or (2) as mass killings of civilians in the course of "unjust wars." I therefore propose to take advantage of the distinction between "just" and "unjust" wars to suggest that the mass civilian deaths committed by aggressive powers in pursuit of "unjust" wars at the onset be defined decisively as genocidal. By first addressing genocide in the course of *aggressive ("unjust") war*, we postpone until later consideration of the issue of mass civilian deaths by intended victim peoples fighting "just wars" of self-defense. In the present category, the issue of mass civilian deaths is unambiguously genocide. The deaths issue from an identifiably aggressive war, and the attacks on civilians are made by rulers such as Hitler, Hirohito, and Saddam Hussein; there is no question that they are not at war in self-defense.

The following definition is proposed for *genocide in the course of aggressive ("unjust") war*:

Genocide that is undertaken or even allowed in the course of military actions by a known aggressive power, such as Germany and Japan in World War II, for the purpose of or incidental to a goal of aggressive war, such as massive destruction of civilian centers in order to vanquish an enemy in war.

#### War Crimes Against Humanity

In addition to massive killing of civilians who are specifically and purposely targeted for killing in the course of war, there are also many events where large numbers of soldiers, and perhaps also civilians, are killed as the result of overly cruel or lethal means employed to conduct the war or to manage the detention of captured enemy soldiers, and where large numbers of civilians are terrorized and killed by being taken hostage or under the brutal control of occupied territories. As indicated, mass deaths brought about by such extreme policies have been defined as *war crimes* and/or as *crimes against humanity*.



I propose a single combined category of *war crimes against humanity* which is intended to define any use of overly cruel or lethal means of war in the course of military actions during the war, or after the war, in such acts as treatment of war prisoners or in the conduct of occupation of an enemy land and rule of its people. When mass deaths result from overuse of force by a warring country, even if it is morally justified by self-defense in its original conduct of the war, it retains no moral advantage with respect to genocidal policies of overkill in its military tactics or in its treatment of the enemy's war prisoners or occupied civilians. Note especially that this category defines genocidal crimes against soldiers and civilians *regardless* of whether the war being waged is aggressive or in self-defense.

Personally, I yield to the fact that, at least at this point in human evolution, there must be allowance for war and certainly for truly just wars of self-defense, and that under the circumstances of modern war there is a certainty and perhaps even inevitability of disasters to large numbers of noncombatant civilians. This has to be true at times when technologies of mass destruction are utilized purposefully against operational enemy centers in heavily populated civilian neighborhoods, such as the enemy's war ministry, communication headquarters, and so on. Nonetheless, caring people and history must be free to question whether the large number of dead, such as that which resulted from the Allied firebombing of Dresden and the nuclear bombing of Hiroshima and Nagasaki in World War II, should be defined as excessive and therefore criminal, and not be allowed to slip unnoticed into being simply another aspect of war. I acknowledge that this categorization of events is intellectually and emotionally extremely painful to many of us in the free world, but I prefer such distress over feigned ignorance or the denial of events where millions died, and over indifference to the issues.

Whatever one's personal opinions, the category of war crimes against humanity organizes these events for further analysis. We need the category to capture the many events in which millions of innocent people are killed because of extreme uses of power, so that we are forced into painful encounters with the moral dilemmas such events present. Defining events in this category does not preclude continuing political and moral analysis and debate as to what instances of mass killing of defenseless people in the course of just wars may be justified.

I propose the following definition of *war crimes against humanity*:

Crimes committed in the course of military actions against military targets, or in the treatment of war prisoners, or in occupation policies against civilian populations which involve overuse of force, or cruel and inhuman treatment, and which result in unnecessary mass suffering and death.

### Genocide as a Result of Ecological Destruction and Abuse

Increasingly, it becomes clear that many human lives are being lost to man-made ecological disasters that are a result of the criminal destruction or abuse of the environment, or of uncaring malevolent indifference to the inevitability of the disaster because of palpable ecological negligence. Direct military abuse of the environment as a weapon of genocidal destruction, such as the Germans' poisoning of the Herero people's water holes at the beginning of the century, are obvious genocidal instances. But there are also degrees of abuse of nature that are more negligent in origin, such as the development of an increasingly large hole in the ozone layer surrounding our planet, which is attributable to widespread use of aerosols and which is already seen as causing a dramatic increase in melanomas; the poisoning of frighteningly large numbers of bodies of water on Earth; the pollution of the air above cities; the radioactive contamination of a huge geographical area (smaller instances around nuclear installations in the U.S., and the largest instance at Chernobyl in the U.S.S.R.<sup>37</sup>) that require new policies of intergovernmental cooperation, even among long-standing military rivals, to forestall ecological mass disasters. It is now indisputable that as the instruments of man's power grow, the hazards of massive ecological destruction increase.

I propose the following definition of *genocide as a result of ecological destruction and abuse*:

Genocide that takes place as a result of criminal destruction or abuse of the environment or negligent failure to protect against known ecological and environmental hazards, such as accidents involving radiation and waste from nuclear installations, uncontrolled smog, or poisonous air from industrial pollution, pollution of water supplies, and so on.

I would add that the subject of ecology also leads us to consider the tragic extent to which millions die each year of hunger, and that there is room to consider those actions that create the conditions of unnecessary starvation, which cause the deaths of millions, as genocidal.<sup>38</sup>

### Accomplices to Genocide

It is now time to define a new category of accomplices to genocide. If in normal criminal law there are concepts pertaining to a party that supplies a known murderer or intended murderer with the murder weapon, I believe there needs to be clear legal definitions of the direct responsibility of those who supply the financial and technical means to mass murderers. We need legal criteria for defining the responsibility



of the contractors, scientists, and others—individuals, companies, and governments—who, knowingly and maliciously, arm a mass murderer, and for assigning lesser criminal responsibility to those who were perhaps more innocent yet should not have been when they undertook to work for known and would be killers who were heard to threaten the massacre or incineration of a people. Such perfidies require firm responses under international law.

I propose to define *accomplices to genocide* as follows:

Persons, institutions, companies, or governments who knowingly or negligently assist individuals, organizations, or governments who are known or potential murderers to gain access to mega-weapons of destruction, or otherwise to organize and execute a plan of mass murders, are to be held responsible as accomplices to the defined crimes of genocide or war crimes.

### Cultural Genocide

As noted earlier, Raphael Lemkin was correctly concerned not only with the physical destruction of a people but also with the destruction of their cultural identity. However, Lemkin's definitional system inadvertently leads to situations in which destruction of a culture's continuity is labeled as committing genocide while others in which millions of people are actually murdered are not.

### Ethnocide

I propose to utilize a specific category of *ethnocide* for major processes that prohibit or interfere with the natural cycles of reproduction and continuity of a culture or a nation, but not to include this type of murderous oppression directly under the generic concept of genocide. Note again, that as in the case of the other proposed classifications, so long as data of a given type of events are assembled into a clearly labeled definitional context, they are awaiting the emergence of new thinking and a new consensus as scholars continue to struggle with the enormous issues that are raised by virtually every definition. Note also that retaining this category of *ethnocide* adjacent to and in effect as part of the overall matrix of definitions of genocide (rather than removing it to a separate list of further human rights violations) retains a recognition of the closeness of the subjects, and also retains respect for the historical inclusion of *ethnocide* in the original definition of genocide that the world community first adopted. I strongly prefer, however, to reserve the concept of genocide for actual mass murders that end the lives of people. I propose to define *ethnocide* thus:

Intentional destruction of the culture of another people, not necessarily including destruction of actual lives (included in the original UN definition of genocide, but, in the present proposed definitions, *ethnocide* is not subsumed under genocide).

### Linguicide

*Linguicide* is a definitional subcategory of *ethnocide* which involves forbidding various uses of a people's language—printing of books, teaching the language, or everyday communication in the language.<sup>39</sup> I define *linguicide* thus:

Forbidding the use of or other intentional destruction of the language of another people—a specific dimension of *ethnocide*.

### Degrees of Criminal Responsibility

Finally, I believe that the definitional system will gain if it is also possible to assign different weights or gradations to various crimes of genocide. One system for doing so that is immediately familiar for purposes of legal definition is to utilize known gradations of murder; thus, genocide in the first degree, second degree, and third degree. Just as definitions of individual murder vary in degree of premeditation, purposeful organization, cruelty, and more, so do programs of mass extermination.

I propose the following criteria by which to define degrees (first, second, third) of genocide, war crimes, and *ethnocide*:

- Premeditation
- Totality or singlemindedness of purpose
- Resoluteness to execute policy
- Efforts to overcome resistance
- Devotion to bar escape of victims
- Persecutory cruelty

Table 3 presents the overall proposed matrix of definitions that we saw previously with the addition of the option to further classify and assign degrees of criminal responsibility.

Although it has not been included in the table at the present time, I also suggest that the classification system lends itself to concepts of *attempted genocide*, in much the same way as "attempted murders" are categorized.



TABLE 3. A Proposed Definitional Matrix for Crimes of Genocide (Extended).

A. *Generic Definition of Genocide*

Genocide in generic sense is the mass killing of substantial numbers of human beings, when not in the course of military action against the military forces of an avowed enemy, under conditions of the essential defenselessness and helplessness of the victims.

To establish first, second, or third degree of genocide, evaluate extent of:

- Premeditation
- Totality or singlemindedness of purpose
- Resoluteness to execute policy
- Efforts to overcome resistance
- Devotion to bar escape of victims
- Persecutory cruelty

1. *Genocidal Massacre*

Mass killing as defined above in the generic definition of genocide but in which the mass murder is on a smaller scale, i.e., smaller numbers of human beings killed.

To establish first, second, or third degree genocidal massacres evaluate extent of:

- Premeditation
- Totality or singlemindedness of purpose
- Resoluteness to execute policy
- Efforts to overcome resistance
- Devotion to bar escape of victims
- Persecutory cruelty

2. *Intentional Genocide*

Genocide on the basis of an explicit intention to destroy a specific targeted victim group (ethnic/religious/racial/national/political/biological/or other), in whole or in substantial part.

TABLE 3. *Continued*

To establish first, second, or third degree intentional genocide, evaluate extent of:

- Premeditation
- Totality or singlemindedness of purpose
- Resoluteness to execute policy
- Efforts to overcome resistance
- Devotion to bar escape of victims
- Persecutory cruelty

a. *Specific Intentional Genocide* refers to intentional genocide against a specific victim group.

b. *Multiple Intentional Genocide* refers to intentional genocide against more than one specific victim group at the same time or in closely related or contiguous actions.

c. *Omnicide* refers to simultaneous intentional genocide against numerous races, nations, religions, etc.

3. *Genocide in the Course of Colonization or Consolidation of Power*  
Genocide that is undertaken or even allowed in the course of or incidental to the purposes of achieving a goal of colonization or development of a territory belonging to an indigenous people, or any other consolidation of political or economic power through mass killing of those perceived to be standing in the way.

To establish first, second, or third degree genocide in the course of colonization or consolidation of power, evaluate extent of:

- Premeditation
- Totality or singlemindedness of purpose
- Resoluteness to execute policy
- Efforts to overcome resistance



TABLE 3. Continued

<p>4. <i>Genocide in the Course of Aggressive ("Unjust") War</i> Genocide that is undertaken or even allowed in the course of military action by a known aggressive power, e.g., Germany and Japan in World War II, for the purpose of or incidental to a goal of aggressive war, such as massive destruction of civilian centers in order to vanquish an enemy in war.</p>	<ul style="list-style-type: none"> <li>• Devotion to bar escape of victims</li> <li>• Persecutory cruelty</li> </ul>
	<p>To establish first, second, or third degree genocide in the course of aggressive ("unjust") war, evaluate extent of:</p> <ul style="list-style-type: none"> <li>• Premeditation</li> <li>• Totality or singlemindedness of purpose</li> <li>• Resoluteness to execute policy</li> <li>• Efforts to overcome resistance</li> <li>• Devotion to bar escape of victims</li> <li>• Persecutory cruelty</li> </ul>
<p>5. <i>War Crimes Against Humanity</i> Crimes committed in course of military actions against military targets, or in treatment of war prisoners, or in occupation policies against civilian populations which involve overuse of force or cruel and inhuman treatment and which result in unnecessary mass suffering or death.</p>	
	<p>To establish first, second, or third degree war crimes against humanity, evaluate extent of:</p> <ul style="list-style-type: none"> <li>• Premeditation</li> <li>• Totality or singlemindedness of purpose</li> <li>• Resoluteness to execute policy</li> <li>• Efforts to overcome resistance</li> <li>• Devotion to bar escape of victims</li> <li>• Persecutory cruelty</li> </ul>

TABLE 3. Continued

<p>6. <i>Genocide as a Result of Ecological Destruction and Abuse</i> Genocide that takes place as a result of criminal destruction or abuse of the environment, or negligent failure to protect against known ecological and environmental hazards, such as accidents involving radiation and waste from nuclear installations, uncontrolled smog, or poisonous air owing to industrial pollution, pollution of water supplies, etc.</p>	
	<p>To establish first, second, or third degree genocide as a result of ecological destruction and abuse, evaluate extent of:</p> <ul style="list-style-type: none"> <li>• Premeditation</li> <li>• Totality or singlemindedness of purpose</li> <li>• Resoluteness to execute policy</li> <li>• Efforts to overcome resistance</li> <li>• Devotion to bar escape of victims</li> <li>• Persecutory cruelty</li> </ul>
<p>B. <i>Accomplices to Genocide</i> Persons, institutions, companies, or governments who knowingly or negligently assist individuals, organizations, or governments who are known murderers or potential murderers to gain access to mega-weapons of destruction, or otherwise to organize and execute a plan of mass murders, are to be held responsible as accomplices to the defined crimes of genocide or war crimes.</p>	
	<p>To establish first, second, or third degree complicity to genocide, evaluate extent of:</p> <ul style="list-style-type: none"> <li>• Premeditation</li> <li>• Totality or singlemindedness of purpose</li> <li>• Resoluteness to execute policy</li> <li>• Efforts to overcome resistance</li> <li>• Devotion to bar escape of victims</li> <li>• Persecutory cruelty</li> </ul>



TABLE 3. *Continued*

## C. "Cultural Genocide"

1. *Ethnocide*

Intentional destruction of the culture of another people, not necessarily including destruction of actual lives (included in original UN definition of genocide but, in present proposed definitions, *ethnocide* is not subsumed under *genocide*).

a. *Linguicide*

Forbidding the use of or other intentional destruction of the language of another people—a specific dimension of *ethnocide*.

To establish first, second, or third degree cultural genocide, evaluate extent of:

- Premeditation
- Totality or singlemindedness of purpose
- Resoluteness to execute policy
- Efforts to overcome resistance
- Devotion to bar escape of victims
- Persecutory cruelty

### On the Ills of "Definitionalism"

To conclude, the basic spirit and intention of the proposed definitional matrix is that, almost without exception, most events of mass deaths of innocent, helpless people qualify under the generic rubric of *genocide*. At the same time, my intention is to develop a rational, systematic series of differential classifications of subtypes of genocide. Both the generic definition of genocide and the various subcategories should stand up, first of all, to the test of natural logic and understanding; there should be no instance in which masses of human beings lie murdered while our definitional categories do not encompass the event of their deaths. The classification of different categories of genocide will allow for effective further study of their different properties and the

development of proper legal definitions for assigning criminal responsibility in each case.

Most definitions of genocide have tended to be exclusive, that is, they sought to define what types of mass killings deserve to be called genocide, and hence also to define, directly or indirectly, what types of mass killings were to be excluded from the universe of genocide.<sup>40</sup> The present proposal is strongly inclusive; it seeks to create a wide conceptual base that includes all known types of mass murder and mass deaths that are brought about at the hands of man, and thus to insure that few tragic events of destruction of large numbers of human lives will fall by the theoretical wayside, as if they were of no legal, historical, or spiritual importance. The advantage of treating genocide first of all as a generic category is that one brings into the net virtually all instances of mass killings at the hands of man (other than bona fide wars of self-defense). At the same time, this conceptualization allows room to subclassify into more specific and stringent classificatory groups the different types of events of mass killing. Once the competition to decide which tragic events will and won't be accepted into the vaunted "genocide club" is ended, one can study the different types of genocide more honestly and come to understand their individual characteristics and differences from one another. It would be a moral absurdity and an insult to the value of human life to exclude from full historical recognition any instance of mass killing as if it were undeserving of inclusion in the record.

I would like to conclude with a serious criticism of what I shall call "definitionalism," which I define as a damaging style of intellectual inquiry based on a perverse, fetishistic involvement with definitions to the point at which the reality of the subject under discussion is "lost," that is, no longer experienced emotionally by the scholars conducting the inquiry, to the point that the real enormity of the subject no longer guides or impacts on the deliberations. The discussions about whether a given massacre or mass murder can be considered genocide are often emotionless, argumentative, and superrational, and one senses that the motivations and meta-meanings of the discussions often are based on intellectual competition and the claims to scholarly fame of the speakers rather than on genuine concern for the victims. The predominant intellectual goal of most participants in these definitional turf battles over what is and is not genocide is generally to exclude unfavored categories from the field.

For me, the passion to exclude this or that mass killing from the universe of genocide, as well as the intense competition to establish the exclusive "superiority" or unique form of any one genocide, ends up



creating a fetishistic atmosphere in which the masses of bodies that are not to be qualified for the definition of genocide are dumped into a conceptual black hole, where they are forgotten.

I propose that, instead of expressing our dubious zeal for excluding categories of mass deaths from the realm of genocide, we put together the whole rotten record of all types of mass murder committed by man (an excellent collection of such events can be found in the scenarios created by Fein,<sup>41</sup> who uses fictitious names in order to highlight the various models of genocide), and thereby generate an even more powerful force that will protest, intervene, and seek to reduce and prevent any and all occurrences of mass destruction of human lives. In my opinion, that is the real purpose of genocide scholarship.

### Notes

1. The figure of twenty million victims of Stalin's U.S.S.R. was generally accepted by scholars for many years. Most recently, political scientist R. J. Rummel of the University of Hawaii has marshaled systematic evidence that no less than "61,911,000 people, 54,769,000 of them citizens, [were] murdered by the Communist party—the government—of the Soviet Union from 1917 to 1987" (R. J. Rummel, "The Death Toll of Marxism in the Soviet Union," Special Section of *Internet on the Holocaust and Genocide*, double issue 30/31 [February, 1991]: 9–12). On the Soviet mass killings, see R. J. Rummel, *Lethal Politics: Soviet Genocide and Mass Murder since 1917* (New Brunswick, NJ: Transaction Press, 1990). For other cases of genocide, see R. J. Rummel, *China's Bloody Century: Genocide and Mass Murder since 1900* (New Brunswick, NJ: Transaction Press, 1991), and *Democide: Nazi Genocide and Mass Murder* (New Brunswick, NJ: Transaction Press, 1991).
2. See the following works by Leo Kuper: *Genocide: Its Political Use in the Twentieth Century* (New Haven, CT: Yale University Press, 1982); *International Action Against Genocide* (London: Minority Rights Group, 1984); and *The Prevention of Genocide* (New Haven, CT: Yale University Press, 1985).
3. "Germany Strongly Implicated in Build-up of Iraq Mega-Weapons," *Internet on the Holocaust and Genocide* 29 (November, 1990): 1.
4. Israel W. Charny, "The Psychology of Denial of Known Genocides," in *Genocide: A Critical Bibliographic Review*, Volume 2, ed. Israel W. Charny (London: Mansell Publishing Ltd.; New York: Facts on File, 1991); Richard G. Hovannisian, "Genocide and Denial: The Armenian Case," in *Toward the Understanding and Prevention of Genocide* (Proceedings of the International Conference on the Holocaust and Genocide), ed. Israel W. Charny (Boulder, CO: Westview Press; London: Bowker Publishing, 1984), 84–99.
5. Herbert C. Kelman and F. Lee Hamilton, *Crimes of Obedience: Toward a Social Psychology of Authority and Responsibility* (New Haven, CT, and London: Yale University Press, 1989).
6. Daliah Karpel, "What Happened to the Killers of Kfar Kassem?" *Ha'ir* (Hebrew weekly newspaper, Tel Aviv), 10 October 1986, p. 10.
7. "Campaign to Bring Khmer Rouge to Trial," *Internet on the Holocaust and*

*Genocide* 10 (June 1987): 1; "Legal Charges of Genocide Versus Lynch," *Internet on the Holocaust and Genocide* 24 (January 1990): 2.

8. Israel W. Charny, *How Can We Commit the Unthinkable?: Genocide, the Human Cancer*, in collaboration with Chanan Rapoport, foreword by Elie Wiesel (Boulder, CO: Westview Press, 1982; paperback, with title change: *Genocide, the Human Cancer: How Can We Commit the Unthinkable?*, New York: Wm. Morrow Co. [Hearst Professional Books, 1983]); Charny, *Toward the Understanding and Prevention of Genocide*; Charny, *Genocide: A Critical Bibliographic Review*.

9. See Barbara Harff, "Humanitarian Intervention," 146–53; David Kader, "Progress and Limitations in Basic Genocide Law," 141–45; and Barbara Harff and David Kader, "Bibliography of Law and Genocide," 154–72, all in Charny *Genocide: A Critical Bibliographic Review*, Volume 2.

10. Irving Louis Horowitz, *Taking Lives: Genocide and State Power*, 3d ed. (New Brunswick, NJ: Transaction Books, 1980 [first edition, 1976]).

11. Lyman H. Letgers, "The Soviet Gulag: Is It Genocide?" in Charny, *Toward the Understanding and Prevention of Genocide*, 60–66; James E. Mace, "Genocide in the U.S.S.R.," in *Genocide: A Critical Bibliographic Review*, 116–36.

12. David Hawk, "Pol Pot's Cambodia: Was it Genocide?" in Charny, *Toward the Understanding and Prevention of Genocide*, 51–59; David Hawk, "The Cambodian Genocide," in Charny, *Genocide: A Critical Bibliographic Review*, 137–54.

13. Israel W. Charny, "How to Avoid (Legally) Conviction for Crimes of Genocide: A One-Act Reading," in *Genocide: Issues, Approaches, Resources*, ed. Samuel Totten, special issue of *Social Science Record* 24, no. 2 (1987): 89–93.

14. Raphael Lemkin, unpublished papers. With permission of the Rare Books and Manuscripts Division, the New York Public Library, Astor, Lenox, and Tilden Foundations.

15. Ben Whitaker, UN Economic and Social Council, Commission on Human Rights, *Revised and Updated Report on the Question of the Prevention and Punishment of the Crime of Genocide*, UN Doc. E/CN.4/Sub.2/1985/6 (1985).

16. "Fears of Khmer Rouge in Cambodia Mount," *Internet on the Holocaust and Genocide* 18 (December 1988): 1–2; "In Cambodia It Can Happen Again," *Internet on the Holocaust and Genocide* 23 (November 1989): 4.

17. "Special Section on the Genocide of the Kurds," *Internet on the Holocaust and Genocide* 32 (April 1991): 1–2, 11–12.

18. Richard G. Hovannisian, "The Armenian Genocide," in Charny, *Genocide: A Critical Bibliographic Review*, 89–115; Roger Smith, "Denial of the Armenian Genocide," in Charny, *Genocide: A Bibliographic Review*, Volume 2, 63–85.

19. Leo Kuper, "An Agonizing Issue: The Alienation of the Unique," *Internet on the Holocaust and Genocide* 27 (June 1990), special supplement, 2 pp.

20. Erich Kulka, "Denial of the Holocaust," in Charny, *Genocide: A Critical Bibliographic Review*, Volume 2, 38–62.

21. Arthur R. Butz, *The Hoax of the Twentieth Century* (Richmond, Surrey, England: Historical Review Press, 1975).

22. Israel W. Charny and Shama Davidson, eds., *The Book of the International Conference on the Holocaust and Genocide: The Conference Program and Crisis* (Tel Aviv: Institute of the International Conference on the Holocaust and Genocide, 1983); Terrence Des Pres, "On Governing Narratives," *Yale Review* (Summer 1986).

23. "Government Opposition to Armenian Genocide Bill Provokes Wide-



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24. Pieter N. Drost, *The Crime of State*, vol. 2, *Genocide* (Leyden: A. W. Sythoff, 1959), 122-23.

25. Israel W. Charny, "Genocide: The Ultimate Human Rights Problem," *Social Education*, 49, no. 6 (1985): 448-52.

26. John L. P. Thompson, "Genocide as Boundary-Crossing Behavior," *Internet on the Holocaust and Genocide*, special issue, 21 (June 1989): 1-9.

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